

ESTTA Tracking number: **ESTTA594055**Filing date: **03/21/2014**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**Petition for Cancellation**

Notice is hereby given that the following party requests to cancel indicated registration.

Petitioner Information

Name	Firestone Walker LLC		
Entity	LLC	Citizenship	California
Address	c/o Koenig & Associates 920 Garden St. Santa Barbara, CA 93101 UNITED STATES		

Attorney information	Kurt Koenig Koenig & Associates 920 Garden St. Santa Barbara, CA 93101 UNITED STATES Kurt@incip.com Phone:805-965-4400
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Registration Subject to Cancellation

Registration No	3664912	Registration date	08/04/2009
Registrant	Win it Too P.O. Box 2069 Santa Barbara, CA 93120 CANADA		

Goods/Services Subject to CancellationClass 032. First Use: 2009/04/01 First Use In Commerce: 2009/04/01
All goods and services in the class are cancelled, namely: Beer**Grounds for Cancellation**

<i>Torres v. Cantine Torresella S.r.l.Fraud</i>	808 F.2d 46, 1 USPQ2d 1483 (Fed. Cir. 1986)
Abandonment	Trademark Act section 14
The mark is merely descriptive	Trademark Act section 2(e)(1)

Related Proceedings	Case 2:13-cv-09052-MMM-E Win It Too, Inc. v. Firestone Walker LLC
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Attachments	PetitionforCancellation.pdf(185058 bytes) Exhibit A - N.pdf(5488159 bytes) Exhibit O - Q.pdf(1198160 bytes) Exhibit R - AA.pdf(1698387 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address

record by First Class Mail on this date.

Signature	/Kurt Koenig/
Name	Kurt Koenig
Date	03/21/2014

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of
Registration No.: 3664912
For the mark: LIVING BEER
Date registered: August 4, 2009

FIRESTONE WALKER LLC)	
)	
)	
Petitioner,)	
)	
v.)	Cancellation No.: _____
)	
Win It Too,)	
)	
Respondent.)	
)	

PETITION FOR CANCELLATION

Firestone Walker LLC (“Petitioner”) believes it is being or will be damaged by the continued registration of the mark identified in Registration No. 3664912 and hereby petitions the Trademark Trial and Appeal Board (“Board”) to cancel the same pursuant to Section 14 of the Lanham Act (15 U.S.C. Sec. 1064). As grounds for this Petition, it is alleged that:

1. Petitioner is a limited liability company organized and existing under the laws of California, having a principal place of business at 1400 Ramada Dr., Paso Robles, CA 93446.
2. Upon information and belief, Respondent, Win It Too a.k.a Win-It-Too, Inc. (“Respondent”), is a suspended California corporation, having a business address of PO BOX 2069 Santa Barbara, CA 93120-2069.

Respondent’s LIVING BEER Registration

3. On or about September 8, 2008, Respondent filed App. Ser. No. 77565016 (“Application”) with the United States Patent and Trademark Office (“USPTO”) pursuant to

Section 1(b) of the Lanham Act, 15 U.S.C. §1051(b), to register the term LIVING BEER (“Respondent’s Mark”) for use with “Beer” in Class 32.

4. On or about January 7, 2009, the USPTO issued a Notice of Publication for the Application.

5. On or about April 21, 2009, the USPTO issued a Notice of Allowance for the Application.

6. On or about May 5, 2009, Respondent submitted a Trademark/Service Mark Statement of Use pursuant to 15 U.S.C. Section 1051(d)) for the Application which was signed by Steven Villani as President of Respondent. A downloaded .pdf of the Trademark/Service Mark Statement of Use is attached as Exhibit A (“Statement of Use”).

7. The Statement of Use included the following language: “The mark is in use in commerce on or in connection with all goods or services listed in the application or Notice of Allowance or as subsequently modified for this specific class.”

8. The Statement of Use also included a sworn declaration, under oath, with the following language: “[t]he mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 04/01/2009, and first used in commerce at least as early as 04/01/2009, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) advertisements, tags, labels, instruction manuals, containers, point of purchase displays, front and other pages of a catalogue, web site, blogs and other electronic mediums.”

9. The Statement of Use was accompanied by a specimen of use in the form attached as Exhibit B (herein “Specimen of Use”).

10. Upon information and belief, the Specimen of Use was the equivalent of a printer's proof or graphic art and did not show Respondent's Mark in actual use in commerce on or in association with the goods listed in the application.

11. Upon information and belief, the Specimen of Use was not an advertisement, tag, label, instruction manual, container, point of purchase display, front or other page of a catalogue, a web site, a blog or any other electronic medium.

12. Upon information and belief, the Specimen of Use or any facsimile thereof had never been disseminated to the public on or in connection with beer.

13. Upon information and belief, the Specimen of Use did not show use of Respondent's Mark in the ordinary course of trade on the actual goods sold or transported in commerce.

14. Upon information and belief, the Specimen of Use was not an example of any use of Respondent's Mark that had been undertaken by Respondent prior to May 5, 2009.

15. Upon information and belief, the Specimen of Use was not displayed on any container for beer on or prior to May 5, 2009.

16. Upon information and belief, Respondent had not displayed Respondent's Mark on any container or display in connection with beer on or prior to May 5, 2009.

17. Upon information and belief, the Specimen of Use was not a picture or a scan of an actual label that was placed on the container for Respondent's goods.

18. The Statement of Use included a sworn declaration signed by Steven Villani as President of Respondent in which he declared under oath: *"The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements may jeopardize the validity of the form or any resulting registration, declares that he/she is properly authorized to*

execute this form on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the form is being filed under 15 U.S.C. Section 1126(d) or (e), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.”

19. On or about August 4, 2009 App. Ser. No. 77565016 matured into Reg. No. 3664912 (“Registration”).

20. Upon information and belief, Respondent was not using the mark LIVING BEER on or in connection with the goods listed in Registration when Respondent filed the Statement of Use, and upon information and belief, Respondent is not currently using the mark LIVING BEER in connection with beer. Therefore, upon information and belief, when Respondent submitted the Statement of Use indicating that Respondent first used the mark LIVING BEER on April 1, 2009, such information was false.

Count 1: Fraud

21. Petitioner repeats and realleges each and every allegation set forth in Paragraphs 1 through 20.

22. Upon information and belief, the Statement of Use and the declaration alleging use of the LIVING BEER mark in the Application was made in bad faith and in an attempt to perpetrate a fraud upon the USPTO because Respondent knew or acted in a reckless disregard of

the truth that it was not using the mark LIVING BEER in connection with beer at the time of the filing of the Statement of Use.

23. Upon information and belief, while reasonably relying on the truth of such materially false statement, the USPTO approved the Application for registration, issuing the Registration.

24. Upon information and belief, the conduct of Respondent constitutes fraud on the USPTO and therefore the Registration should be cancelled.

Count II: Void Ab Initio

25. Petitioner repeats and realleges each and every allegation set forth in Paragraphs 1 through 24.

26. Trademark Act Section 1(b), 15 U.S.C. §1051(b), allows registration of trademarks “used in commerce” and requires that an applicant make a verified statement that the mark is in use in commerce.

27. Section 45 of the Act, 15 U.S.C. § 1127, defines the term “use in commerce” and states: “The term “use in commerce” means the bona fide use of a mark in the ordinary course of trade, and not made merely to reserve a right in a mark. For purposes of this chapter, a mark shall be deemed to be in use in commerce— (1) on goods when — (A) it is placed in any manner on the goods or their containers or the displays associated therewith or on the tags or labels affixed thereto, or if the nature of the goods makes such placement impracticable, then on documents associated with the goods or their sale, and (B) the goods are sold or transported in commerce.”

28. On information and belief, Respondent was not using term LIVING BEER for beer on or before April 1, 2009.

29. On information and belief, Respondent did not have a *bona fide* intent to use Respondent's Mark in commerce in the United States on or in connection with any of the goods identified in the Application, namely "Beer," when the Application was filed on September 8, 2008.

30. Upon information and belief Respondent did not use the mark LIVING BEER in commerce on or in association with the goods identified in the Registration as of the filing date of either the Statement of Use or the April 1, 2009 alleged date of first use anywhere and date of first use in commerce, as required under Trademark Act Sections 1(a), 1(d), and 45, 15 U.S.C. §§1051(a) , 1051(d), and 1127.

31. Accordingly, the Application and the resulting Registration, are void *ab initio*, and the Registration should be cancelled.

Count III: Abandonment

32. Petitioner repeats and realleges each and every allegation set forth in Paragraphs 1 through 31.

33. Upon information and belief, Respondent has never used the mark LIVING BEER in association with any of the goods identified in the Registration.

34. Upon information and belief, Respondent has never used or has discontinued, without an intent to resume, any and all use of the mark LIVING BEER in association with the goods identified in the Registration with intent not to resume any such use in the future.

35. Upon information and belief, Respondent has never used or has ceased all commercial use of the mark LIVING BEER in association with the goods identified in the Registration with intent not to resume any such use in the future.

36. Upon information and belief, Respondent has abandoned the registered mark LIVING BEER and is no longer entitled to maintain its registration.

37. Respondent's non-use of the term LIVING BEER for more than three (3) consecutive years is prima facie evidence of abandonment pursuant to Lanham Act, 15 U.S.C. § 1127.

38. The Application and the Registration which issued therefrom, is therefore void *ab initio*, pursuant to 15 U.S.C. §1051(b) and the registration should be cancelled accordingly.

Count IV: Mere Descriptiveness

39. Petitioner repeats and realleges each and every allegation set forth in Paragraphs 1 through 38.

40. The term LIVING BEER is merely descriptive of beer and the term LIVING BEER has not acquired distinctiveness.

41. Respondent's representatives have posted a YouTube video which can be viewed at the URL: <http://www.youtube.com/watch?v=F-o1XijAu10>. A transcript of the video is attached as Exhibit C ("Video").

42. In the Video, Johnny Fincioen, a legal representative of Respondent describes the meaning of the term "living beer." Johnny Fincioen specifically states in the Video that "*We all know that the best way to keep our food fresh is to keep it alive. That's why in some markets in the world they sell living chickens, living goats, living frogs, you name it right? We know that dead food deteriorates pretty fast, that we need to consume it as soon as possible, right? Well the same is true for dead beer. Living beers on the other hand, you can age just like good wine. About a thousand years ago, most found out that you think you could keep your beer fresh by keeping it alive by adding living yeast in every bottle or keg. So, when the beer is ready to be bottled they add a little bit of yeast in the bottle, store it away and a second fermentation slowly starts... So, you see living beer, this is what you want and all six beers in this sample pack are living beers.*" The Video acknowledges that Respondent is fully aware and admits that the term

“LIVING BEER” is a descriptive term within the meaning of 15 U.S.C. § 1052(e)(1) and Section 14 of the Trademark Act, 15 U.S.C. § 1064.

43. The Dictionary.com online dictionary located at <http://dictionary.reference.com/browse/living> defines “living” as *inter alia*, “*having life; being alive; not dead.*” A screenshot of the dictionary page from the website for this online reference is attached as Exhibit D.

44. As part of the application process, Respondent disclaimed the generic word “beer” as an unregistrable component of the entire mark and Respondent does not claim the exclusive right to use the word “beer.”

45. Vendors, retailers, and consumers of beer have long used and continue to use the term “Living Beer” to describe beer that has been bottled unpasteurized and unfiltered leaving “live” yeast in the bottle.

46. The Wikipedia website about Allagash Brewing Company located at http://en.wikipedia.org/wiki/Allagash_Brewing_Company and the SipVeritas website located at <http://www.sipveritas.com/allagash-brewery/> both include the statement: “*This method of bottle conditioning leaves a small amount of yeast in the bottle, creating what is known as a ‘living beer’.*” A copy of a screen shot from this website is attached as Exhibit E and Exhibit F.

47. The Baying Hound Aleworks website located at <http://bayinghoundales.com/the-beer/> states: “*All of our beers are unfiltered and unpasteurized, in other words, living beer.*” A copy of a screen shot from this website is attached as Exhibit G.

48. The Allagash Brewing Company website located at <http://www.allagash.com/about/> includes the statement: “*This “live” beer also continues to develop flavors over time, enhancing the beer drinker's experience.*” A copy of a screen shot from this website is attached as Exhibit H.

49. The T.Y. Harbor website located at <http://www.tyharborbrewing.co.jp/en/brewery/beer-story/> includes the header “*Living beer is Better Beer*” and the statement: “*Good beer is fresh and alive, and that’s how we feel when we drink it.*” A copy of a screen shot from this website is attached as Exhibit I.

50. The website at Tastings.com located at <http://www.tastings.com/beer/perishable.html> states the following: “*The term "living beer" can be either high praise or a slap in the face for a brewer. If the things that are "living" in the beer are microorganisms that ought not to be there, then it is bad news for a beer and its brewer. Live beer, however, generally refers to the presence of noble yeasts left over from the brewing process. Beers that have been bottled unpasteurized and unfiltered, with a significant amount of live yeast, are called "bottle-conditioned" beers. The purpose of bottling beers in such a manner is to give them the potential to age and develop more complexity. Yeast inhibits oxidation and contributes complex flavors as it breaks down slowly in the bottle. Many Belgian ales are traditionally bottle conditioned through a secondary fermentation in the bottle, in a process similar to that which produces champagne. An unpasteurized beer bottled with its yeast will not age in the manner of a conventionally processed beer. With age, bottle-conditioned beers develop a rounded, smoother mouthfeel, and over the course of years, often take on winery, vinous flavors. Bottle conditioning is an economical means for small-scale craft brewers to bottle ales without the need for costly pasteurization or filtration equipment. How long one cellars bottle-conditioned beers is a matter of personal taste and will also depend on the specific character of the beer in question.*” as reflected in Exhibit J.

51. The RateBeer website located at located at the web address <http://www.ratebeer.com/beer/new-glarus-crackd-wheat-ale/98770/> provides a rating and review

of the New Glarus Crackd Wheat Ale beer which says “*Absolutely 100% natural bottle conditioned. This is a living beer.*” as reflected in Exhibit K.

52. The Mystic Brewery website located at <http://mystic-brewery.com/story?page=0,0> states “*At Mystic Brewery we aren’t afraid of no stinking microbes (quite literally). Our way is to brew new beers in the old tradition. Our way is to make living beer*” as reflected in Exhibit L.

53. The website located at http://blogs.citypages.com/food/2013/10/beer_of_the_week_brimstone_belgian_tripel_from_boom_island.php with a header that states “Beer of the Week: Brimstone Belgian Tripel from Boom Island” includes the statement “*Brimstone is also true to Belgian tradition in that it is considered to be a living beer. That means it’s unfiltered and unpasteurized so live cultures are present in the bottle itself.*” A copy of a screen shot from this website is attached as Exhibit M.

54. The Bravo Beer Co. website located at <http://www.bravobeerco.com/styles-beer> with a header that states “Bravo Beer Co.” includes the statement “*Living Beer. The term living beer*” can be either high praise or a slap in the face for a brewer. If the things that are “living” in the beer are microorganisms that ought not to be there, then it is bad news for a beer and its brewer...” A copy of a screen shot from this website is attached as Exhibit N.

55. The blog site located at <http://beersumy.blogspot.com/p/beer-category.html> with a header that states “I love beer” includes the statement “*A distinctive feature of the live beer is a short shelf life. This beer should be consumed within a few days, then the yeast are killed, while the drink loses flavor and beneficial properties. Due to the nature of production, living beer may be sold in bottles, just by the glass.*” A copy of a screen shot from this website is attached as Exhibit O.

56. The Bruery website blog located at <http://bruery.blogspot.com/2013/12/barrel-maintenance-living-beer.html> has a discussion about its maintenance program for creating

“living beer” and discusses its quality assurance process for creating clean, living beer. A copy of a screen shot from this website is attached as Exhibit P.

57. The Country Wine and Spirits website located at <http://cwspirits.com/l/craft-beer-store/> with a header that states “About Country Wine & Spirits” in discussing the beer from Allagash Brewery states *“This method of bottle conditioning leaves a small amount of yeast in the bottle, creating what is known as a ‘living beer.’”* A copy of a screen shot from this website is attached as Exhibit Q.

58. The Beer House website located at http://www.beerhouse.ee/eng/beer_house/chronicle/oktoberfest2013 about the Beer House 2013 Oktoberfest which includes the statement *“During the two-day event all festival attendees, true beer lovers had the chance to taste the special menu of Oktoberfest, freshly brewed living beer, autumn festival traditional cookies Oktoberherzes and salty bretzels, which added the Munich breath to the atmosphere of the festival.”* A copy of a screen shot from this website is attached as Exhibit R.

59. The Santiam Brewing website located at <http://www.santiambrewing.com/cask-ales.html> with a header that states “Santiam Brewing” includes the statement *“Draught Beer: Cask ale sits on its lees (yeast bed) after finishing its fermentation in the cask. This living beer undergoes a secondary fermentation which naturally carbonates the beer in its cask. This natural carbonation, much smoother than artificial carbonation, has insufficient pressure to force the beer out of the cask. It has to be pulled, or “drawn” out by a draught engine (Draught = “to pull”, like a “draught-horse”. Modern US English spelling = draft).”* A copy of a screen shot from this website is attached as Exhibit S.

60. The Belgian Beer Shop website located at <http://www.thebelgianbeershop.com.mt/news25.htm> discussing Bruegel beer with the statement

“Unlike some, Bruegel is a living beer with secondary fermentation in the bottle.” A copy of a screen shot from this website is attached as Exhibit T.

61. The Wikibooks website located at <http://en.wikibooks.org/wiki/Bartending/Alcohol/Beer> with a header that states “Bartending/Alcohol/Beer” includes the statement *“Ale is properly supplied to the point of sale as a “living” beer in which the yeast fermentation continues to occur.”* A copy of a screen shot from this website is attached as Exhibit U.

62. The Anchor & Hope website located at <http://anchorandhopesf.com/menus/beer> with a header that states “Anchor & Hope” includes the statement *“Cask Ale is a living beer and is made completely naturally, as the secondary fermentation takes place inside the cask from which it is to be served. This is beer as it has been brewed for centuries.”* A copy of a screen shot from this website is attached as Exhibit V.

63. The Premier Gourmet website located at <http://www.premiorgourmet.com/dogfish-special-750-638489001111.html> discussing Dogfish Head beer which states: *“Dogfish Head “Living Beer” Series / 750 ml bottle.”* A copy of a screen shot from this website is attached as Exhibit W.

64. The Beerfest website located at http://beerfest-thai.com/en/interesting/Living_beer_has_anti-inflammatory_action which proudly proclaims *“-Living beer has anti-implammatroy action! Living beer, like red wine and green tea has anti-implammatroy effect, experts say. Medical Center, University of Innsbruck. Based on our research, we can say that living beer drinks relates to having anti-implammatroy action”* A copy of a screen shot from this website is attached as Exhibit X.

65. The Six Pack Tech website located at <http://sixpacktech.com/2010/05/28/living-beer/> with a header that states “SixPackTech.com” discussing the website noted in Exhibit C

includes the statement: “*Living Beer. This man brings up some interesting points about live vs. dead beers. What he is referring to is bottle conditioning.*” A copy of a screen shot from this website is attached as Exhibit Y.

66. A book entitled “BEER AWESOMENESS” a review of which is available at http://books.google.com/books?id=YcH2kMTmM6UC&pg=PA25&lpg=PA25&dq=beer+is+a+term+commonly+used+among+brewers%E2%80%A6+It%E2%80%99s+actually+unpasteurized,+unfiltered+beer+that+has+been+bottled+with+live+yeast&source=bl&ots=3s9MsFqdRU&sig=XWVWXha2_KRppsFkMZP173xE2A&hl=en&sa=X&ei=WJgjU7x9g9GoAYGUgdgP&ved=0CBsQ6AEwAA#v=onepage&q=beer%20is%20a%20term%20commonly%20used%20among%20brewers%E2%80%A6%20It%E2%80%99s%20actually%20unpasteurized%2C%20unfiltered%20beer%20that%20has%20been%20bottled%20with%20live%20yeast&f=false states that “*Live” beer is a term commonly used among brewers... It’s actually unpasteurized, unfiltered beer that has been bottled with live yeast.*” A copy of the website is attached as Exhibit Z.

67. The Surf Brewing website located at <http://surfbrewery.com/doc/cask-conditioned-ale.pdf> that states: “*Cask Conditioned beers are true living beer and will change over time so we strive to not let the beer sit for too long in out cellar.*” A copy of a screen shot from this website is attached as Exhibit AA.

68. As a result of the worldwide and widespread use of the term “Living Beer” by numerous third parties used to describe the characteristics of a beer that is alive because it contains live yeast or is otherwise “alive”, the Respondent’s alleged mark LIVING BEER is highly descriptive or generic.

69. As a result of Respondent’s own use of the term “Living Beer” as a means to describe the characteristics of a beer that is alive because it contains live yeast, the Respondent’s alleged mark LIVING BEER is highly descriptive or generic.

70. Respondent's alleged use is insufficient to establish secondary meaning or acquired distinctiveness in said mark, particularly in light of the widespread third-party use.

71. The Registration was granted contrary to the requirements of 15 U.S.C. 1052(e)(1) and therefore must be cancelled.

72. Although Respondent has abandoned Respondent's Mark, Petitioner has been and will continue to be damaged by the existence of Registration No. 3664912 in that Respondent has threatened Petitioner that any use by Petitioner of the term LIVING BEER is infringing.

73. Respondent has previously objected to Petitioner's use of the mark WE ARE LIVING BEER ("Petitioner's Mark") on the basis that Petitioner's Mark, when used in connection with Petitioner's beer goods, are likely to be confused with Respondent's Mark.

74. Petitioner is engaged in the manufacture, promotion, and distribution of beer.

WHEREFORE, Petitioner prays this Petition for Cancellation be sustained in favor of Petitioner and Registration No. 3638761 be canceled.

This Petition for Cancellation is being filed via ESTTA together with the required filing fee in the amount of \$300 as required by 37 C.F.R. §2.6(a)(16).

Respectfully submitted,

Dated: March 21, 2014

By: _____


Kurt Koenig
Attorneys for Petitioner
KOENIG & ASSOCIATES
920 Garden Street, Suite A
Santa Barbara, CA 93101
Tel: 805-965-4400
Kurt@incip.com

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this correspondence is being transmitted by electronic mail to the United States Patent and Trademark Office on March 21, 2014.



Kurt Koenig

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing “PETITION FOR CANCELLATION” was served pursuant to 37 C.F.R. §§ 2.111(b) and 2.119, on the owner of record for the registration on March 21, 2014 by first-class mail, postage prepaid, addressed to the owner of record for the registration at the current address listed on the Trademark Status & Document Retrieval portion of the USPTO website at as follows:

Win It Too
DBA Global Beer Network
P.O. BOX 2069
Santa Barbara, CA 93120-2069

with a courtesy copy to:

Andrew Kent, Esq.
Rincon Venture Law Group
2815 Townsgate Road, Suite 215
Westlake Village, CA 91361

Dated: March 21, 2014



Kurt Koenig

EXHIBIT A

Trademark/Service Mark Statement of Use (15 U.S.C. Section 1051(d))

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	77565016
LAW OFFICE ASSIGNED	LAW OFFICE 110
EXTENSION OF USE	NO
MARK SECTION	
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	LIVING BEER
OWNER SECTION (no change)	
GOODS AND/OR SERVICES SECTION	
INTERNATIONAL CLASS	032
CURRENT IDENTIFICATION	Beer
GOODS OR SERVICES	KEEP ALL LISTED
FIRST USE ANYWHERE DATE	04/01/2009
FIRST USE IN COMMERCE DATE	04/01/2009
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT6\IMAGEOUT6\775\650\77565016.xml2\SO U0002.JPG
SPECIMEN DESCRIPTION	advertisements, tags, labels, instruction manuals, containers, point of purchase displays, front and other pages of a catalogue, web site, blogs and other electronic mediums
REQUEST TO DIVIDE	NO
PAYMENT SECTION	
NUMBER OF CLASSES IN USE	1
SUBTOTAL AMOUNT [ALLEGATION OF USE FEE]	100

TOTAL AMOUNT	100
SIGNATURE SECTION	
DECLARATION SIGNATURE	/Steven Villani/
SIGNATORY'S NAME	Steven Villani
SIGNATORY'S POSITION	President
DATE SIGNED	05/05/2009
FILING INFORMATION	
SUBMIT DATE	Tue May 05 15:52:33 EDT 2009
TEAS STAMP	USPTO/SOU-173.9.43.253-20 090505155233655126-775650 16-440b64ac588681436abff9 e3d466f496b6-CC-2045-2009 0505151402540808

Trademark/Service Mark Statement of Use
(15 U.S.C. Section 1051(d))

To the Commissioner for Trademarks:

MARK: LIVING BEER

SERIAL NUMBER: 77565016

The applicant, Win it Too, having an address of
P.O. Box 2069
Santa Barbara, California 93120
United States

is submitting the following allegation of use information:

For International Class 032:

Current identification: Beer

The mark is in use in commerce on or in connection with all goods or services listed in the application or Notice of Allowance or as subsequently modified for this specific class

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 04/01/2009, and first used in commerce at least as early as 04/01/2009, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) advertisements, tags, labels, instruction manuals, containers, point of purchase displays, front and other pages of a catalogue, web site, blogs and other electronic mediums.

[Specimen File-1](#)

The applicant is not filing a Request to Divide with this Allegation of Use form.

A fee payment in the amount of \$100 will be submitted with the form, representing payment for the allegation of use for 1 class.

Declaration

Applicant requests registration of the above-identified trademark/service mark in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq., as amended). Applicant is the owner of the mark sought to be registered, and is using the mark in commerce on or in connection with the goods/services identified above, as evidenced by the attached specimen(s) showing the mark as used in commerce.

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements may

jeopardize the validity of the form or any resulting registration, declares that he/she is properly authorized to execute this form on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the form is being filed under 15 U.S.C. Section 1126(d) or (e), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

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Living Beer



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In this spot, Johnny explains "Living Beer". Each of the six featured beers from Brewery Van Steenberge are Living Beers. Find out why the beer you might be drinking now was mercilessly murdered in the factory, and how the "Born On" date is actually a "Killed On" Date! www.globalbeer.com

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Transcript of Exhibit C Video

Hi Folks. My name is Johnny Fincioen and I founded the Global Beer Network.

I want to talk to you about living beer. Living Beer? versus dead beers? Indeed, most of the beers are actually killed at the brewery. They pasteurize it, they sterilize it, they even freeze it, just to kill every living substance. So the famous born on date is actually a killed on date, in many instances.

We all know that the best way to keep our food fresh is to keep it alive. That's why in some markets in the world they sell living chickens, living goats, living frogs, you name it right? We know that dead food deteriorates pretty fast, that we need to consume it as soon as possible, right? Well the same is true for dead beers.

Living beers on the other hand, you can age just like good wine. About a thousand years ago, most found out that you think you could keep your beer fresh by keeping it alive. By adding living yeast in every bottle or keg. So, when the beer is ready to be bottled they add a little bit of living yeast in the bottle, store it away, and a second fermentation slowly starts.

This process takes about 2 to 4 weeks and this fermentation makes a little bit of extra alcohol - good - and natural carbonation. Natural carbonation is what you need to have smooth easy drinkability of your beer.

Dead beers on the other hand, have no carbonation. The brewer actually had to put CO₂ in every bottle with a machine, psshht, just for you when you open it, to see some bubbles.

So, you see living beer, this is what you want and all six beers in this sample pack are living beers.

EXHIBIT D

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Ads

liv-ing



[liv-ing] ?

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adjective

1. having life; being alive; not dead: *living persons*.
2. in actual existence or use; extant: *living languages*.
3. active or thriving; vigorous; strong: *a living faith*.
4. burning or glowing, as a coal.
5. flowing freely, as water.



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[Where Do Protists Live?](#)

noun

11. the act or condition of a person or thing that lives: *Living is very expensive these days*.
12. the means of maintaining life; livelihood: *to earn one's living*.
13. a particular manner, state, or status of life: *luxurious living*.
14. (*used with a plural verb*) living persons collectively (usually preceded by *the*): *glad to be among the living*.
15. *British* . the benefice of a clergyman.

Origin:

before 900; (adj.) Middle English *lyvyng* (*e*); replacing earlier *liviende*, Old English *lifgende* (see [live](#)¹, [-ing](#)²); (noun) Middle English *living* (*e*) (see [-ing](#)¹)

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EXHIBIT E



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Allagash Brewing Company

From Wikipedia, the free encyclopedia

Coordinates:  43.7031°N 70.3178°W

Allagash Brewing Company is an American brewery located in Portland, Maine.^[1]

Founded in 1994 by Rob Tod, Allagash sold its first batch of beer in the summer of 1995. Tod had been working in breweries around the U.S. and recognized a void in the craft brewing movement. While both German and British styles were available throughout the country, **Belgian-style beers** were very difficult to find. He established a small 15-barrel brewery and began brewing Allagash White, modeled after Belgian **Wit beer**. His beer gets its flavor from the use of **wheat** in place of **barley** as well as the addition of **Curaçao** orange peel, **coriander** and other spices.

All of the beers Allagash produces are [bottle conditioned](#). The technique calls for two [fermentations](#), the first in the fermenting tanks and the second in the bottle itself (a process known as the [methode champenoise](#)). A [coolship](#) is used to cool the wort for some of the beers.^[2]



Before the beer is bottled, a small amount of yeast and sugar is added and a second fermentation occurs. It is this second fermentation which produces a notable increase in carbonation, a softer feel and remarkable complexity. This method of **bottle conditioning** leaves a small amount of **yeast** in the bottle, creating what is known as a "living" beer.

Today, Allagash has six-year round beers in its portfolio, seven yearly releases and numerous one-offs and keg only releases.

See also [\[edit\]](#)

- List of microbreweries
- Microbrewery

References [\[edit\]](#)

1. ^ "Allagash continues brewing up success" . www.wcsh6.com. Retrieved 5 February 2013.
2. ^ Roberts, James. "The coolship is landing" . Anchorage Press. Retrieved 25 September 2013.

External links [[edit](#)]

- [Official website](#) 
- ["Beer and wood buddy up"](#)  by Julie Johnson Bradford 13 Apr 2007 *News & Observer*

Categories: Beer brewing companies based in Maine | Microbreweries
Companies established in 1994

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EXHIBIT F

ALLAGASH BREWERY

Part of what we like to do at the shop is to not only get you to try great wines, beers and spirits, but we like to give you as much information as you are willing to receive ... here is some information on one of our favorite breweries ...

Allagash

Allagash Brewing Company sold its first batch of beer in the summer of 1995. The Allagash story, however, has roots that go much further back than the ten years the Portland, Maine brewery has been in operation. The roots go into the early 1990's when founder Rob Tod saw something missing in the American beer market. They are interwoven in the craft brewing movement that has allowed the creativity of brewers to flourish over the last twenty years, and those same roots have ties that go back centuries to the monasteries of Belgium, whose own ancient brewing methods are now practiced today by the brewers of Allagash. Allagash began as a one-man operation, with Tod assuming all brewing duties in a small space located in a building on the outskirts of the maritime city of Portland. Tod had worked in brewery settings before and recognized a void within the craft brewing movement. While both German and British styles had become prevalent throughout the U.S., the ever-creative Belgian-styles were very difficult to find. Through his travels, Tod had sampled many of these unique beers and felt that the flavors and traditions of this European nation needed to be shared with the American drinking public. He designed a small 15-barrel brewhouse specifically to embrace the Belgian tradition of beer making, gathered the finest array of authentic raw materials and began his quest towards the production of traditional Belgian style ales.

Allagash began with the release of its Allagash White, modeled after the traditional "White" beers of Belgium. Also referred to as "wit" beers, they get their unique flavor from the use of wheat in place of barley, Curacao orange peel and the careful sprinkling of coriander and other spices. Allagash combined these ingredients with their very own proprietary Belgian yeast strain to create the remarkably unique and refreshing beer that is today their flagship brand. Allagash White developed a strong cult following around the Portland area where it was available at selected draft accounts. Due to its immediate success, the beer was soon made available in 12-ounce six-packs throughout the state of Maine.

With the success of the first brand, Rob realized two things: The public was asking for some new styles and the workload was getting to be too much for one person. Soon after, two experienced brewers were hired and Allagash released their second brew, Allagash Double Ale. Using the philosophy and techniques created by the Trappist Monks of Belgium centuries ago, the staff created this beer using seven different malts, a traditional sugar, and their own Belgian yeast strain. The result was another unique yet balanced beer crafted in the classic Belgian style.

To truly appreciate the classic styles and brewing traditions of Belgium, one must experience beer created in the classic Belgian package. This is why Allagash, after an extensive period of research, released their distinctive "Reserve" line of cork finished 750 ML bottles. This unique line employs the ancient tradition referred to as the *méthode champenoise*. The technique calls for two fermentations, one in the Brewery's fermenting tanks and the second in the bottle itself. It is this second fermentation that produces a notable increase in carbonation, a softer mouthfeel, and beers of remarkable complexity. This method of bottle conditioning leaves a small amount of yeast in the bottle, creating what is known as a "living" beer. As a result, these styles have a greatly enhanced shelf life and some styles will age exceptionally, much like a fine wine. Just as the styles originate in Belgium, so does the package itself. To insure authenticity, Allagash imports the bottles and corks directly from the same country that designed the techniques. This enables the beers to reach carbonation levels similar to champagne while allowing the corks to "pop" characteristically upon serving. Today, Allagash still remains one of very few breweries in North America using this distinctive package.

From the very beginning, Allagash has strived to produce the finest Belgian-style and experimental ales this side of the Atlantic. It began as New England's original Belgian-Style brewery and has grown into one of the industry's most distinguished and well-respected brands. Following the time-tested brewing traditions of

EXHIBIT G



**UNPASTEURIZED,
UNFILTERED,
UNLEASHED**

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THE BEER

Below you will find selections of the beer we produce, including an archive of [past brews](#). Click on the images below to view. All of our beers are unfiltered and unpasteurized, in other words, living beer.

When you drink one of our beers, you can rest assured that you are drinking something fresh, local, and made with only the highest quality ingredients.



ON TAP

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BEER TRIVA AND QUOTES

1992 Astronaut-homebrewer Bill Readdy blasts into space aboard the Space Shuttle Discovery carrying an



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EXHIBIT H



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About Allagash » The Story

Allagash Brewing Company started in 1995, as a one-man operation in a small space on the outskirts of Portland, Maine. Founder Rob Tod had worked in a brewery setting before and recognized a void within the craft brewing movement. While both German and British styles had become prevalent throughout the U.S., the ever-creative Belgian-styles were very difficult to find. Through his travels, Tod had sampled many of these unique beers and felt that the flavors and traditions of Belgium needed to be shared with the American drinking public. He designed a small 15-barrel brewhouse, gathered the finest array of authentic raw materials and began his quest towards the production of traditional Belgian style ales. Rob sold his first batch of beer in the summer of 1995.

The first release from Allagash was [Allagash White](#), modeled after the traditional "White" beers of Belgium. Also referred to as "wit" beers, they get their unique flavor from the use of wheat in place of barley, and the use of Curacao orange peel, coriander and other spices. Allagash combined these ingredients with their very own proprietary Belgian yeast strain to create the remarkably unique and refreshing beer that is today their flagship brand.

With the success of the first brand, Rob decided to venture further into the Belgian beer genre. He hired his first employee and soon released a second brew, Allagash Double Ale. Using the philosophy and techniques created by the Trappist Monks of Belgium centuries ago, they created this beer using seven different malts, a traditional sugar, and their own Belgian yeast strain. The result was another unique yet balanced beer crafted in the classic Belgian style.

In 2001, Rob and the Allagash crew wanted to continue to pay tribute to Belgian brewing traditions by delving into the world of cork and cage finished beers and bottle conditioning. At the time, almost no one was doing this here in the states, but Allagash knew the process was more than just a new look. Bottle conditioning is the process of adding sugar and yeast, just prior to bottling, to allow for natural carbonation of the beer. The resulting beer is softer and more complex than traditionally carbonated beers. This "live" beer also continues to develop flavors over time, enhancing the beer drinker's experience.

Today, Allagash has six year round beers in its portfolio, seven yearly releases and numerous one-offs and keg only releases. We continue to be successful by pushing the limits of beer and themselves. We have always strived to produce the finest Belgian inspired and experimental ales this side of the Atlantic.



EXHIBIT I



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Beer Story

About Ale

ABOUT 100 YEARS AGO, ALL BEER TASTED LIKE THIS.

Beer has been made for thousands of years, since the times of the early civilizations in Egypt and Mesopo-tamia. It was the first processed grain product, and the first alcoholic beverage. Brewing beer was found to be the best way to make the vitamins and other nutrients of grain more easily assimilated by the human body. Beer was also found to be delicious. Many believe that it was beer that gave people a reason to settle down and become farmers. As the industrial revolution came into full swing in the 19th century, mechanization and refrigeration made it possible to produce beer in mass quantities and ship it far and wide. Beer made and sold this way was far cheaper, and large brewing industries began to emerge. Naturally, this led to the demise of beer as a high quality local product, much like good bread.



THE MICROBREWERY REVOLUTION

After over a century of traditional locally produced beer giving way to mass produced beer with less and less character, many people began to realize the loss of one of our oldest traditions:high quality fresh-brewed local beer. From the 1980s, very small breweries began to emerge again in Europe and North America, brewing traditional types of beer for people who cared about flavor. This“microbrew”revolution came to Japan in the mid-90s with a change in brewery license regulations. In 1997, T.Y.HARBOR Brewery became part of this revolution in beer flavor.

TRADITIONAL INGREDIENTS, TRADITIONAL FLAVOR

Over the centuries, it was found that malted barley made the best beer, and hops made the best way to flavor and preserve it. While beer could be made more cheaply using ingredients such as rice, cornstarch and sugar, the rich, satisfying flavors of all-malt beer could not be achieved. It was this reason that a law was enacted in 16th century Germany declaring that only malt, hops and water could be used as ingredients in beer. Even today, this regulation is observed in Germany. Unfortunately, large scale breweries in Japan and other countries use a variety of materials such as rice and cornstarch to manufacture their beer. Fortunately, for beer lovers, T.Y.HARBOR Brewery uses only 100% malt to craft their fine brews. Everyone can taste the difference.



LIVING BEER IS BETTER BEER

Specialty brewing yeasts are the heart of quality beer flavor. While these yeasts are killed by pasteurization or filtered out of mass-produced beer to achieve longer shelf life, they are welcome to remain in T.Y.HARBOR Beer after the brewing process. Our beers are entirely unfiltered and unpasteurized for maximum flavor, always. Yeast is also a source of various B vitamins and proteins, and is also considered beneficial for the digestive tract. Good beer is fresh and alive, and that's how we feel when we drink it.




EXHIBIT J



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Beer is a Perishable Product

Beer is a foodstuff. As with most foodstuffs, beer is perishable-it deteriorates as a result of the action of bacteria, light, and air. However, unlike other food products, packaged beer is not legally mandated to carry a "sell by" date. Nonetheless, some domestic beer sold in the United States does carry a freshness date. The Boston Beer Company was among the first to use freshness dating, as far back as 1985. Anheuser-Busch has followed suit with its much-publicized "born on" dates. There are still many breweries, large and small, which do not send all their beers to market with a freshness date, but the trend is certainly moving in the right direction.

Stabilization

Prior to bottling, a typical commercial ale or lager will undergo some form of stabilization to extend its shelf life. The two primary forms of stabilization are sterile filtration, in which the beer is passed through a microporous filter that will not let through any "crunchy bits" larger than 0.5 microns; and pasteurization, whereby the beer is heated briefly to kill any microbial wildlife. Both approaches are widely used, though a number of brewers have noted that sterile filtration strips some hop flavors from their ales. A third, traditional option for preparing a beer for its journey in a bottle to your glass, "bottle conditioning," is dealt with later.

Freshness period: The drinking window

The length of time it takes for a beer to become stale (a papery note, dulled hop character, or other off flavors) is determined by the alcoholic strength and hopping level of the beer. Both alcohol and hops help preserve beer. Thus hopper, stronger beers keep for longer. Typically, the freshness period for a lager is four months; for stronger craft-brewed ales, five months. High-gravity, high-strength beers such as doppelbocks typically carry a six- to twelve-month freshness period. All of the preceding assumes proper handling of the beer.

How can you determine the "drinking window" of a beer? It depends on the dating system used by the brewery. Taking a typical example of Boston Beer's Samuel Adams brands, the freshness period is the time between shipment from the brewery and the freshness date, or "consume by" date, marked on the label or capsule. In the case of a beer with a "born on" date (Anheuser-Busch products, for example), the freshness period is approximately four months after the date on the label.

Imports: A note of caution

Imported beer can have a rough ride on its way to your local retailer. First, it must undergo a sea voyage, hopefully in temperature-controlled containers, or "reefers," in industry parlance. After sitting in the bonded customs warehouse (hopefully, air conditioned), it must pass through an importer's warehouse and then be shipped to a wholesaler's warehouse. In the best case, the local wholesaler will have temperature-controlled storage and an efficient stock

control system, although this is an area of commerce that is not renowned for sympathetic handling of product or startling efficiency with stock. One thing is for sure-at any moment of time in the Byzantine system of beer distribution in the United States, a prodigious amount of imported beer is sitting in warehouses slowly undergoing the inexorable effects of aging.

This is not to suggest that many imported beers do not find their way to us in perfect condition. However, one is not reassured by the reluctance of virtually all beer importers to put freshness dating on the wares that they import. Beers produced for consumption in European Union countries are mandated to have an expiration date on the packaging. When the same breweries produce a batch for export to the United States, too often, off comes the expiration dating and on goes the Surgeon General's warning.

It must be said that some imported beers do carry a freshness date, but they are vastly outnumbered by those that do not. Thus a consumer purchasing a six pack of imported Czech pilsner or English bitter may have no idea as to how long the product has been in the chain of distribution. In both examples freshness is as important as with any domestic ale or lager. Dust or label discoloration may give a clue that a beer has been too long on a retailer's shelf, but even these are not always reliable indicators. At the Beverage Testing Institute it has been noticed that a number of bottles purchased at retail have failed the freshness test, sometimes to the point of being undrinkable. Ultimately, market pressure will be the only factor that will promote wide-scale introduction of useful freshness dating for imported beers. Until such time, consumers can use the following commonsense approaches to avoid being shortchanged with stale imported beer.

1. Try to purchase imports from reputable specialty stores with enthusiastic and knowledgeable staff.
2. Check the crown cap seal (if it is a bottled product) to see if there has been any seepage. If there has, then the bottle most likely has been subjected to heat abuse.
3. Dusty, discolored labels should not inspire confidence.
4. Always insist on returning skunky, out-of-condition beer for a refund (see [our article on beer faults](#) to know what to look for). This should be no problem if you heed the first point.

Packaging: Bottles, Cans, Widgets, and Growlers

What, if any, difference does packaging make? Surprisingly, it can be quite a significant factor. Following is a brief rundown of the major points of interest regarding the various "enclosures," or containers, in which beer is shipped and sold.

Clear versus colored glass bottles

If you have ever wondered why most beer bottles are amber or green, the answer is simple. The full spectrum of daylight can have undesirable effects on a beer over a period of time. The ultraviolet portion of the spectrum is especially harmful; promoting chemical reactions that produce "off flavors" that will take the edge off the freshness of a beer. Dark glass greatly inhibits this photochemical effect, whereas clear glass leaves the beer within vulnerable to being "light struck." The industry standard is for green or amber glass, but for some unfathomable reason a number of British breweries stick resolutely to their traditional practice of using clear glass bottles, with often undesirable consequences when such beers are left on a retailer's shelf for any length of time.

Nitrogen capsules ("widgets")

Guinness introduced the nitrogen capsule, commonly known as the widget, in cans of Guinness Stout in the late 1980s. Subsequently, this device has caused many shirts and shoes to be soaked with beer as people discover for themselves the magic of nitrogen draft flow systems. Guinness served on draft acquires its creamy head when nitrogen bubbles are flushed through the beer at the time of serving. The widget is a small plastic capsule containing pressurized nitrogen gas that rushes out of a pinhole when the can is opened and the internal pressure is lowered. Widgets have now found their way into bottles as well as cans and have jumped species from Irish stouts to other ales, though not necessarily with the same levels of critical acclaim.

Aluminum cans

Aluminum cans are more popular at the economy/supermarket/bulk package end of the market than at the premium side. Packaging in aluminum cans does necessarily imply pasteurization. Although cans do not fit the image of the craft-brewed product, there is no technical reason why high-quality beer cannot be sold in cans, and, in fact, a number of craft brewers are launching canned products. A significant impediment to craft brewers using cans instead of bottles is the high capital cost of the pasteurization and packing equipment required. Among imports, British bitters are often shipped in aluminum cans, and a certain brand of Australian lager has forged an image by being sold in a large "oil can" size.

Growlers

A growler is a plastic or glass container used for selling fresh draft beer straight from the tap. Beer sold in this format, generally from a brewpub, must be refrigerated and then consumed within a day or two.

Bottle Conditioning: Living Beer

The term "living beer" can be either high praise or a slap in the face for a brewer. If the things that are "living" in the beer are microorganisms that ought not to be there, then it is bad news for a beer and its brewer.

Live beer, however, generally refers to the presence of noble yeasts left over from the brewing process. Beers that have been bottled unpasteurized and unfiltered, with a significant amount of live yeast, are called "bottle-conditioned" beers. The purpose of bottling beers in such a manner is to give them the potential to age and develop more complexity. Yeast inhibits oxidation and contributes complex flavors as it breaks down slowly in the bottle. Many Belgian ales are traditionally bottle conditioned through a secondary fermentation in the bottle, in a process similar to that which produces champagne.

An unpasteurized beer bottled with its yeast will not age in the manner of a conventionally processed beer. With age, bottle-conditioned beers develop a rounded, smoother mouthfeel, and over the course of years, often take on winery, vinous flavors.

Bottle conditioning is an economical means for small-scale craft brewers to bottle ales without the need for costly pasteurization or filtration equipment. How long one cellars bottle-conditioned beers is a matter of personal taste and will also depend on the specific character of the beer in question.

The following is a list of some of the top-rated, cellarable, bottle-conditioned beers we have reviewed. All or any of these would be highly recommended for a beer cellar (e.g., a cool cupboard in the basement). Suggested cellaring periods are in brackets, though they are only approximate cellaring times based on personal experiences and in some cases, brewery recommendations. Three gueuzes have been included for the simple reason that these beers have the best cellaring potential in the beer world. Frank Boon of Brouwerij Boon claims a 30-year cellar life for his gueuze beers.

- Brasserie d'Achouffe (Belgium) N'Ice Chouffe (up to 5 years)
- Chimay (Belgium) Grand Reserve Blue (up to 5 years)
- Sinebrychoff (Finland) Porter 1996 Bottling (up to 5 years)
- King & Barnes (England) Millennium Ale (up to 10 years)
- J.W. Lees (England) Harvest Ale 1998 (up to 10 Years)
- Unibroue (Canada) Quelquechose (up to 10 years)
- Young's (England) Old Nick Barley Wine (up to 10 years)
- Lindemans (Belgium) Gueuze Cuvée René (up to 15 years)
- Frank Boon (Belgium) Gueuze Mariage Parfait (up to 20 years)
- Cantillon (Belgium) Gueuze (up to 20 years)
- Eldridge Pope (England) Thomas Hardy's Ale (up to 20 years)

The Bar: Drink Locally, Think Globally

As a consequence of the craft beer revolution, there is a vast choice of beer from abroad and closer to home. When confronted by a line of tap handles stretching the full length of the bar, do not overlook your local craft brewer. Independent local breweries are the backbone of any serious beer-drinking culture and should not be taken for granted in the competitive commercial environment. Recognize that a beer brewed in smaller quantities with 100% malted barley and high-quality hops will necessarily cost a little extra. Fresh, well-brewed beer that has traveled only a small number of miles will invariably taste better than an equivalent beer that left the brewery a few months ago. Indeed, a draft beer that has traveled a great distance will certainly have been pasteurized, thus is slightly

handicapped from the start. The flip side to this is that a pasteurized imported keg of beer will certainly last longer when it is tapped than an unpasteurized, "live," craft beer. The latter needs to be drunk fresh. A conscientious draft bar should keep a few tap handles devoted to local craft brews and ensure that they remain fresh.

If a beer fails to live up to its obligation of being fresh, send it back over the bar-politely of course. Beer condition must always be the primary concern of any good bar. When confronted by a long line of tap handles, your first question to the bartender should be, "What's fresh?"

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EXHIBIT K



New Glarus Crackd Wheat Ale (RETIRED)



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overall
98
style
100

Formerly brewed at [New Glarus Brewing Company](#)

Style: Wheat Ale

New Glarus, Wisconsin USA

Serve in Shaker, Weizen

bottling unknown on tap unknown distribution unknown

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RATINGS: 343 WEIGHTED AVG: 3.74 EST. CALORIES: 177 ABV: 5.9%

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COMMERCIAL DESCRIPTION

This is Dan's bold creation. You hold the international marriage of a sophisticated Bavarian Hefeweiss and an assertive American Pale Ale. Amarillo dry hopping drives Wisconsin Red Wheat. Traditional open top fermentation cultivates our proprietary Bavarian Weiss yeast in our own Wheat Beer Cellars. Absolutely 100% natural bottle conditioned. [This is a living beer.](#) Expect to pour a thick creamy head into your glass. Savor the fierce onslaught of clove, cinnamon, and citrus nose. Our very popular Imperial Weizen ratchets down for the session. Drink to adventure and friends in Wisconsin. We are the state of beer.



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4.4 AROMA 8/10 APPEARANCE 5/5 TASTE 8/10 PALATE 5/5 OVERALL 18/20
[ads135 \(2528\)](#) - Lawrence, Kansas, USA - JUL 8, 2013

This was a very good wheat. Has the banana and clove of the hefe, but only slightly as it is creamier and dominated by lemon citrusness.

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EXHIBIT L



IN WILDNESS IS THE PRESERVATION OF THE WORLD - THOREAU

OUR STORY

BREWING

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OUR STORY



BREWING WITH MYSTIC INTENTIONS



For thousands upon thousands of years, the brewing process began with a simple porridge of cereal grains that would be strained and cooled in sacred vats exposed to the open air. Seemingly secretly touched by the divine, the liquid would come to life, bubbling and burbling and filling the air with fantastic aromas. It was as if the liquid were transformed by the divine into a glorious and life-sustaining beverage. In the old world, food, drink, and even water were made safe, wholesome, and worthy of celebration by these mystic fermentations.

Then came the machine age. The wild and unpredictable world came under control through the ever driving force of industry. Over time, the varied and spectacular beers were whittled into one beer: the most minimal beer. One beer made with one grain and fermented with one microbe for one kind of drinker. This once lovely, living beverage was diluted, filtered, and pasteurized for nothing more than the bottom line.

But now an amazing thing is happening. At the turn of the century the US looked to one of the last places still making beer the old way, Belgium. In Belgium complexity, flavor and wild fermentations continued to be practiced.

After years of fermenting microbes at work and beers at home, we took a road trip through Belgium for our honeymoon. There we discovered that not just the beers were different but the attitude and approach to brewing were far different from even what the great new American craft brewers were doing. There was also this dog in Brugge laying lazily in a window over the canals who said to us ...well he just stared at us wondering why Americans would honeymoon in damp old Belgium. We knew then that we had to revive the old brewing traditions back in Boston and let the old mystic spirits loose again.

At Mystic Brewery we aren't afraid of no stinking microbes (quite literally). Our way is to brew new beers in the old tradition. Our way is to make living beer. Our way is to build Boston's brewing tradition into one of legend. And we are doing it the New England way: with hard work, perseverance, and meticulous dedication to craftsmanship.

1 2 3 next > last >>

EXHIBIT M

Beer

Beer of the Week: Brimstone Belgian Tripel from Boom Island

By [Emily Weiss](#) Wed., Oct. 2 2013 at 9:00 AM
Categories: [Beer](#), [Brews, Etc.](#), [Minnesota Made](#)

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Courtesy Boom Island Brewing

This week's Beer of the Week is full of fury: Brimstone from Boom Island Brewery.

This gorgeous, thick Belgian Tripel smells of banana split and pours out all hazy and golden, which is kind of how you feel after drinking one, thanks to its 9.5% ABV. The Hot Dish caught up with [Boom Island's](#) owner and brewer Kevin Welch, a self-professed "Belgian freak" in the land of hopheads, to learn more about the process behind this fruity, spicy brew.

See Also:

[Beer of the Week: Sweet Yamma Jamma from Indeed Brewing](#)

Though the set of ingredients in Brimstone is simple -- Pilsner malt, a bit of Noble hops, and candy sugar -- the result is unique because of a very special yeast strain that's added once the beer is cooled.

"The thing I find most intriguing about Brimstone is the combination of light honey and clove type esters that are created by the yeast during fermentation," says Welch. "No spices are added to the beer itself -- all the flavor is created entirely by the yeast."

Brimstone is also true to Belgian tradition in that it is considered a living beer. "That means it's unfiltered and unpasteurized so live cultures are present in the bottle itself," says Welch. "Our beer is bottled completely flat and experiences a final fermentation after

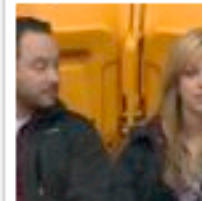
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In Case You Missed It



Rusty Gatenby out at KSTP following DWI arrest (City Pages - The Blotter)



These are the tweets that got Harrison Rund arrested for terroristic threats (City Pages - The Blotter)



Kickstarter to bring Ghanaian food to the Twin Cities (this site)

EXHIBIT N



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Styles of Beer

Living Beer

The term "living beer" can be either high praise or a slap in the face for a brewer. If the things that are "living" in the beer are microorganisms that ought not to be there, then it is bad news for a beer and its brewer.

Live beer, however, generally refers to the presence of noble yeasts left over from the brewing process. Beers that have been bottled unpasteurized and unfiltered, with a significant amount of live yeast, are called "bottle-conditioned" beers. The purpose of bottling beers in such a manner is to give them the potential to age and develop more complexity. Yeast inhibits oxidation and contributes complex flavors as it breaks down slowly in the bottle. Many Belgian ales are traditionally bottle conditioned through a secondary fermentation in the bottle, in a process similar to that which produces champagne. An unpasteurized beer bottled with its yeast will not age in the manner of a conventionally processed beer. With age, bottle-conditioned beers develop a rounded, smoother mouthfeel, and over the course of years, often take on winery, vinous flavors. Bottle conditioning is an economical means for small-scale craft brewers to bottle ales without the need for costly pasteurization or filtration equipment. How long one cellars bottle-conditioned beers is a matter of personal taste and will also depend on the specific character of the beer in question.

Lagers

Beers produced with bottom fermenting yeast strains, *Saccharomyces uvarum* (or *carlsbergensis*) at colder fermentation temperatures than ales. This cooler environment inhibits the natural production of esters and other byproducts, creating a crisper tasting product.

Pilsner Loosely, any golden-coloured, dry, bottom-fermenting beer of conventional strength might be described as a pilsner. German brewers take the style most seriously inspired by the Urquell brew from the town of Pilsen in the Czech province of bohemia. A classic pilsner is characterized by the hoppiness of its flowery aroma and dry finish. Light coloured lager typically lightly hopped with Hallertau or other German hops. *Example: du Moulin Pilsner*

Lambics

Lambics The principle is that the yeast source for fermentation descends from the night sky, landing on a cooling vat of freshly brewed wort causing spontaneous fermentation. Lambics must container at least 30% unmalted wheat in the mash. No additional yeast may be added at any stage.

Draught Served in Belgian cafes

Oude gueuze Pronounced kurrs. Blend of young and old lambics with a touch of sugar added to aid in refermentation. Should be dry and spritzy with only the faintest hint of bitterness. *Example: Chapeau Oud Gueuze, Oud Gueuze Vielle*

Commercial gueuze Large production gueuzes appear to have only the faintest taste characteristics in common with their traditionally made counterparts and any beer could be called a lambic if genuine lambic is used in any part of production.

Cherry lambic Cherries are usually steeped in casks of lambic to refresh fermentation and add a strong fruit flavour and attractive colour. Called "Kriek", but not every Kriek beer is a lambic. *Example: Chapeau Kriek, Oud Kriek Vieille*

Fruit lambic any other fruit can be substituted for cherries, but not every fruit beer is a lambic. *Example: Chapeau Apricot, Chapeau Peach, Oud Framboise Vielle*

Faro brown sugar is added. Sometimes called lambic doux. *Example: Chapeau Faro*

Ales

The English language term for a brew made with top-fermenting yeast which should impart a distinctive fruitiness to the beer. The top fermenting yeast perform at warmer temperatures than do yeast's used to brew lager beer, and their byproducts are more evident in taste and aroma. Ales are produced in a wide variety of colours, palates and strengths. There is a broad spectrum of Belgian ales. Fruitiness and esters are often part of an ale's character. Following is a list designed to clarify a few of the unique characteristics.

Trappist According to EC law, trappist ale may only come from six abbeys of the trappist order that still brew beer on their premises. Although the styles may differ widely between them, they all share a common trait of being top fermented, strong, bottle conditioned, complex, and fully flavored brews. At most, each abbey produces three different varieties of increasing gravity. These can often improve with some years of cellaring. In all there are 15 different trappist beers from the six monasteries. The ales from trappist abbeys are: Chimay, Rochefort, Orval, Westmalle, Westvleteren, and La Trappe.

Wheat beer Also called white or witt it is beer brewed with wheat that remains cloudy in the bottle. It is usually 4-5.5%ABV containing 30-50% of malted or unmalted wheat, imparting a strong grainy flavour. Spices and flavourings are commonplace. *Example: Caracole Troublette*

Blonde ales Light coloured, from blonde to golden, full bodied but polished beer. Some use aromatic hop varieties and spicing. There are several styles of blondes:

- Plain blonde** – light in colour – *Example: Binchoise Blonde, Val Dieu Blonde*
- Kolsch** Kolsch is an ale style emanating from Cologne in Germany. In Germany (and the European Community) the term is strictly legally limited to the beers from within the city environs of Cologne. Simply put Kolsch has the color of a pilsner with some of the fruity character of an ale. This is achieved with the use of top fermenting yeasts and pale pilsner malts. The hops are accented on the finish, which classically is dry and herbal. It is a medium to light bodied beer and delicate in style. Usually 4.3-5%ABV. *Example – VanSteenberge Ever*
- Strong** Beers listed in this category will generally pack a considerable alcohol punch and should be approached much like one would a Barley Wine. Indeed, some of them could be considered Belgian style barley wines. Expect a fruity Belgian yeast character and a degree of sweetness coupled with a viscous mouthfeel. Heavier blond ales of 8.5-9%ABV. Bitterness tends to range from obvious to assertive *Example: VanSteenberge Piraat 9, Piraat 10.5, Satan Gold, Saxo, Moinette Blonde*

Abbey Ales (Dubbel, Tripel, Singel). Monastic or abbey ales are an ancient tradition in Belgium in much the same manner as wine production was once closely associated with monastic life in ancient France. Currently, very few working monasteries brew beer within the order, but many have licensed the production of beers bearing their abbey name to large commercial brewers. These "abbey ales" can vary enormously in specific character, but most are quite strong in alcoholic content ranging between 6% alcohol by volume to as high as 10%. Generally abbey ales are labeled as either Dubbel or Tripel, though this is not a convention that is slavishly adhered to. The former conventionally denotes a relatively less alcoholic and often darker beer, while the latter can often be lighter or blond in color and have a syrupy, alcoholic mouthfeel that invites sipping, not rapid drinking.

- Dubbel** – Medium strong (6-8%ABV) copper brown to dark brown ale, refermented in the bottle made with some caramelized malts. *Example: Bornem Dubbel*
- Tripel** – strong (7.5-9.5%ABV) blonde to golden ale, refermented in the bottle made mainly with lighter malts but likely featuring other grains or sugars. *Example: Bosteels Karmeliet Tripel, Val Dieu Tripel, Bornem Tripel*
- Quadruple** Inspired by the Trappist brewers of Belgium, a Quadrupel is a Belgian style ale of great strength with bolder flavor compared to its Dubbel and Tripel sister styles. Typically a dark creation that ranges within the deep red, brown and garnet hues. Full bodied with a rich malty palate. Phenols are usually at a moderate level. Sweet with a low bitterness yet a well perceived alcohol. Average alcohol by volume (abv) range: 9.0-13.0%. *Example: Gulden Draak 9000, Val Dieu Grand Cru*

Amber ales Between blonde and brown ales are a group of beer styles referred to as pale or amber ales. There are several differences in amber ales but the character is dominated by roasted, slightly caramelized overtones with an alcohol content of between 4-5.5%. Amber ales are usually classified as follows:

- Saison** Saison beers are distinctive specialty beers from the Belgian province of Hainuat with an alcohol level of between 5-7%. . These beers were originally brewed in the early spring for summer consumption, though contemporary Belgian saisons are brewed all year round with pale malts and well dosed with English and Belgian hop varieties. Lively carbonation ensues from a secondary fermentation in the bottle. The color is classically golden orange and the flavors are refreshing with citrus and fruity hop notes. Sadly, these beers are under appreciated in their home country and their production is limited to a small number of artisanal producers who keep this style alive. With a typically hoppy character, Saisons are an extremely esoteric style of beer that should appeal to any devotees of US craft beers, if you can track them down. Mature, delicately aged, complex, darkish pale ales with a slightly sour dryness. *Example: Saison Dupont*
- Ambree***Example: Pauwel Kwak, Satan Red, Page 24 Ambree*
- Biere de Garde** "beer to keep" Biere de Garde is a Flemish and northern French specialty ale generally packaged distinctively in 750ml bottles with a cork. Historically, the style was brewed as a farmhouse specialty in February and March, to be consumed in the summer months when the warmer weather didn't permit brewing. Typically produced with a malt accent, this is a strong (often over 6%), yet delicate bottle conditioned beer. These brews tend to be profoundly aromatic and are an excellent companion to hearty foods. *Example: 3 Monts (light), Gavroche (dark), Page 24 Ambree (amber)*
- Altbier** Put simply an Altbier has the smoothness of a classic lager with the flavors of an ale.
- Brown ales** These are complex dark beers most closely associated with the town of Oudenaarde in Flanders. The authentic examples are medium to full bodied beers that are influenced by a number of factors: high bicarbonate in the brewing water to give a frothy texture; a complex mix of yeasts and malts; blending of aged beers; and aging in bottle before release. In the best examples, the flavor profile is reminiscent of olives, raisins, and brown spices and could be described as 'sweet and sour.' These beers are not hop-accented and are of low bitterness. Rich, dark, sweet, sedimented with a varying degree of burnt and caramelized malt flavours. *Example: Caracole Nostradamus, Val Dieu Brune, St. Martin Brune, Gulden Draak, , Moinette Brune*

Cast Ales Unfiltered and unpasteurized. Aging beers in oak casks for many months after primary fermentation which introduces secondary and tertiary fermentation. These beers have a sourish tang Also known as:

- Flemish Red** These are also known as 'soured beers' and their defining character classically comes from having been aged for some years in well-used large wooden tuns, to allow bacterial action in the beer and thus impart the sharp 'sour' character. Hops do not play much role in the flavor profile of these beers, but whole cherries can be macerated with the young beer to produce a cherry flavored Belgian Red Ale. These ales are among the most distinctive and refreshing to be found anywhere. *Example: Verhaeghe Duchesse de Bourgogne*
- Flemish Brown** *Example: Verhaeghe Vichtenaar*
- Flemish Sour** *Example: Echt Kriekenbiere*

Barley wine

The point at which a strong blond, brown ale, stout or another beer becomes a barley wine is usually once the alcohol content is over 10%. *Example: Deus Brut des Flandres, Scaldis Amber*

Seasonal beer

Historically, there were special beers brewed at different times of the year.

Winter – usually dark and strong with impressive keeping quality. *Example: Binchoise Speciale Noel, Scaldis Noel Premium*

Easter Not a very highly produced category

Summer Belgians consider saisons and wheat beer as summer beer. *Example: Saison Dupont,*

Autumn experimentation with dark strong, spiced beers *Example: Caracole Nostradamus,*

Flavoured beers

A standard Belgian flavouring method.

Fruit beers fruit is steeped with the beer. *Example: Brussels Apple Beer, Pêche Mel Scaldis*

Honey beers addition of honey as a substitute sugar. *Example: Biere des Ours*



EXHIBIT O

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Beer category

The main types of beer:

Black (3.5-4.5% of the fortress., The density of 10-11.5%) - a traditional Bavarian beer (SCHWARZBIER), has a dark brown or black. The secret of his cooking is the use of roasted malt. But you can not overdo malt, or in the drink will be a strong burning smell and taste. This beer is low alcohol, bitterness and hop flavor in it are very reasonable.

Bright (4-5% of the fortress., The density of 13-15%) - Brewed with pale (not roasted) malt, so in most cases has a yellow tint. In these types of beer a pronounced hop aroma and bitterness. It is the most light beers are popular in Russia.

Alive (4-5% of the fortress., And the density of 11-13%) - is made on the basis of the living culture of brewer's yeast. In the production of this beer does not use preservatives, it is not pasteurized. Pasteurization - Heating of beer to a temperature of 80-85 degrees Celsius in order to destroy the microorganisms present in it. A distinctive feature of the live beer is a short shelf life. This beer should be consumed within a few days, then the yeast are killed, while the drink loses flavor and beneficial properties. Due to the nature of production, living beer may be sold in bottles, just by the glass. Accordingly, its price is usually two times higher than in other species.

Filtered (4-5% of the fortress., The density of 11-12%) - a light beer, which is paid from the cake and the remnants of the fermentation products. Consequently, the filtered beer has a clear bright colors. But this drink is considered to be less useful, because filtering removes many nutrients.

Unfiltered (4-8% of the fortress. Density of 13-16%) - the technology of production of this beer does not provide for filtering, so the bottom of the bottle can be precipitate. From the fresh beer is different in that the extension of storage used pasteurization and the addition of preservatives. The usefulness of the beer depends on the applied preservatives, many of them are carcinogens.

Non-alcoholic (0.2-1% of the fortress., The density of 5-10%) - beer with a minimum alcohol content. No method of cleaning is not able to completely rid this kind of beer from the alcohol component. But properly cleaned non-alcoholic beer contains less alcohol than even a harmless drink, as the brew. However, due to the absence of alcohol the taste is very different from other kinds of beer, so many connoisseurs disparage nonalcoholic beer.

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EXHIBIT P



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FRIDAY, DECEMBER 20, 2013

Careful Cellaring, Part 4: The Barrel Maintenance Program for Living Beer

We couldn't have a blog series on the intricacies of beer cellaring without addressing the challenges and benefits of having barrel program like ours at The Bruery. In order to produce beer that is up to our quality standards, our wood cellarmen must take utmost care in working with our barrels and beer. To further explain how our barrels are taken care of, our team of wood cellarmen, Cesar Alfaro and Brett Richman, explain the basics and some FAQs.



Here at The Bruery it's the wood cellarmen's duty is to make sure that the beer that comes out of barrels are of best quality and, of course, taste delicious. In order to do so we take a lot of measures to make sure the barrels are in perfect condition before beer goes into them.



When barrels arrive at The Bruery, they come in various conditions. Wine barrels are often coming in fairly dry, cleaned, sulfured or ozonated at the winery and sitting empty for up to a few months. Because the barrels are to hold liquid for human consumption, when they are constructed, they are completely void of glue or any other chemical. That's right, it's just the staves (the arched, wooden slats that make up the barrel) aligned in the most perfect manner which holds in all that beer.



To make sure that wine barrels are going to hold the precious beer that goes into them, we first fill them with hot water to help swell the wood to make sure the barrels have a complete seal. It's important that the barrels won't leak out all the beer they'll be holding and aging over time.

Once the barrels are able to hold their wort(h), we want to make sure that the only organisms in the barrel are the ones that we want. For that we have an industrial sized steamer that spews out 200°+ steam to get rid of all those unwanted bugs (unless it's a sour beer, in which case we do want some of those specific, residual souring bugs). We then stick a bung in the bung hole (real terms, people!) and it quickly creates a vacuum effect sucking all extra gunk and impurities out of the pores of the wood and making an airtight seal.



The barrel stays empty and plugged up until the very moment where we dump out all of those impurities and then fill it up with beer.

“But Cesar, what happens to the barrel after that, once it's been emptied of the beer?” Good question, Joe Schmoe. Our bourbon / spirit barrels are used just once (except when we use them for Tart of Darkness), the others are turned into planters, backyard props, doggie beds, or wood flooring.



If we're racking sour beer into the barrels, it is a matter of simply filling it back up and continuing the aging process all over again. If the barrel has been emptied of sour beer and is not getting filled up again anytime soon, we normally use sulphur to preserve the barrel and keep any crud from growing inside. This can be done one of 2 ways;

1. Burn a sulphur disc inside the barrel essentially fumigating the barrel, which is then repeated every six to eight weeks as needed.
2. Use a liquid storage solution that is a combination of potassium metabisulphite, citric acid, and water to keep growth from happening and also keep the barrel from drying out.

This is barrel care in a nutshell. Along with mopping. LOTS of mopping.



The Bruery -- Keeping a Clean Barrel Cellar from The Bruery on Vimeo.



Post written by *Cesar Alfaro*, one of our packaging team members turned Barrel Whisperer. Cesar is a talented homebrewer and cheesemonger who also goes to lots of epic music shows where he unleashes his glorious flowing locks of El Salvadorian hair.

Read more of our cellaring series:

- [Careful Cellaring, Part 1: The Quality Assurance Process for Creating Clean, Living Beer](#)
- [Careful Cellaring, Part 2: The Importance of Temperature](#)
- [Careful Cellaring, Part 3: The Threat of Light](#)

Posted by Cambria at 3:13 PM

Labels: [aging beer](#), [barrel aged beer](#), [barrels](#), [beer cellar](#), [brett richman](#), [cellaring](#), [cesar alfaro](#), [living beer](#), [oak aged](#), [sour beer](#), [wood cellar](#)

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EXHIBIT Q



ALLAGASH

Allagash Brewing Company is an American brewery located in Portland, Maine.

Founded in 1994 by Rob Tod, Allagash sold its first batch of beer in the summer of 1995. Tod had been working in breweries around the U.S. and recognized a void in the craft brewing movement. While both German and British styles were available throughout the country, Belgian-style beers were very difficult to find. He established a small 15-barrel brewery and began brewing Allagash White, modeled after Belgian Wit beer. His beer gets its flavor from the use of wheat in place of barley as well as the addition of Curaçao orange peel, coriander and other spices.

All of the beers Allagash produces are bottle conditioned. The technique calls for two fermentations, the first in the fermenting tanks and the second in the bottle itself (a process known as the methode champenoise). A coolship is used to cool the wort for some of the beers.

Before the beer is bottled, a small amount of yeast and sugar is added and a second fermentation occurs. It is this second fermentation which produces a notable increase in carbonation, a softer feel and remarkable complexity. This method of bottle conditioning leaves a small amount of yeast in the bottle, creating what is known as a "living" beer.

Today, Allagash has six-year round beers in its portfolio, seven yearly releases and numerous one-offs and keg only releases.

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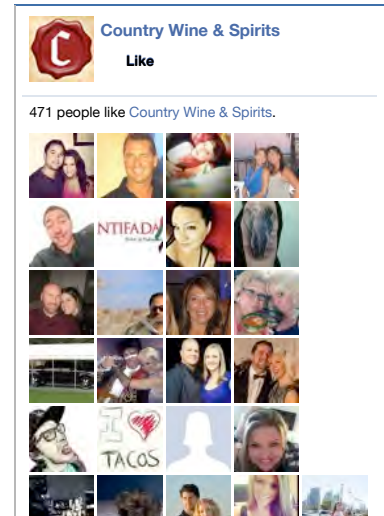


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Ramona (San Vicente)

Ramona #2 (Main St.)

Ramona #3 (Hwy 67)



During his college years, young Jack White developed a taste for beer. After graduation, he decided it was time to explore more interesting beer than he could find in the store, or at a keg party, for that matter. So, he began home brewing in his back yard. He got good at it, and quickly realized it wasn't that easy to get his hands on the various supplies and ingredients he wanted—nor did he have people to trade brewing ideas with.

In 1996, Ballast Point Brewing was born. Naming the beers was easy—Yuseff loves fishing, and he and Jack both love beer. So they brought the two together and started naming their beers after fish. After all, regular guys doing what they love—that's what this was all about. Today, the beer labels still have fish on them as an homage to the brewery's origins and as a reminder to always do what you love.

As customers began tasting Jack and Yuseff's back room brews, they wanted more. So they bought the beer. A lot of it. By 2004, Ballast Point had outgrown its back room location and was going to have to move to keep up with demand. Almost 15 years after its inception, Ballast Point Brewing's dedicated team of craftsmen (and women) is still innovating, trying new methods and ingredients, and working constantly to increase capacity to try to meet demand. More than anything, they are staying true to Jack's dream, and their own: Real beer lovers making real good beer.

University City / UTC

Carlsbad



Stone Brewing Co. is a craft brewery headquartered in Escondido, California. Founded in 1996 in San Marcos, California, it is the largest brewery in Southern California. As of 2012, it was the 10th largest craft brewery in the United States and 17th largest brewery overall, based on sales volume.

Established in 1996, the brewery's first beer was Stone Pale Ale, which they consider to be its flagship ale. Most of their beers are characteristic of west-coast craft brews, meaning that they have a high hop content. Stone beers are bottled in 22 ounce bottles, 12 oz six packs, and occasionally 3 liter bottles. The beers available in six-packs are the Stone Pale Ale, Stone IPA, Stone Levitation Ale, Oaked Arrogant Bastard Ale, and Stone Ruination IPA. Stone uses 22 ounce bottles to feature their "bigger character" beers and Stone Special Releases. Compared to most brewers, many Stone brews feature alcohol percentages that are well above average. The alcohol-by-volume content of Stone brews ranges from 4.4% to well over 11%.

Stone Brewing is rated as a "world class brewery" by the two largest beer enthusiast websites, RateBeer and BeerAdvocate. Stone Brewing has been voted by the readers of Beer Advocate as the #1 "All Time Top Brewery on Planet Earth."

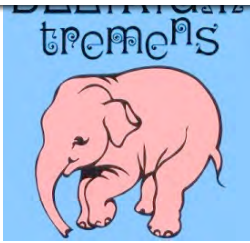


Mike and Lisa Hinkley took their interest in the craft beer industry to a new level in 2002 when they founded Green Flash Brewing Company. Former pub owners, Mike and Lisa jumped into brewing, and in 2004 renowned brewmaster Chuck Silva joined the team.

With Chuck on board we began brewing premium style beers, modern twists on traditional styles, and our beers began to develop a following. Cutting edge brews, Green Flash Brewing Company's beers don't fit traditional guidelines, instead we let our hybrid, benchmark beers blaze their own trail.

Located in San Diego, CA, we specialize in brewing assertive and distinctive beers, such as our West Coast I.P.A.: an award-winning beer whose wide acceptance has helped define a category. We also brew seasonal, collaborative and barrel-aged beers.

Our award-winning beers are on draft and bottled and are available throughout the United States in bars, restaurants and retail outlets.



Delirium Tremens was launched on 26 December 1989. The beer uses three different yeasts and is packaged in a bottle that is painted to resemble cologne ceramics. The label exemplifies different phases of the production of "Delirium Tremens" and that the "Pink Elephant" was up and ready to conquer the world.

Delirium Tremens was named as "Best Beer in the World" in 2008 at the World Beer Championships in Chicago, Illinois, USA.

Delirium tremens is Latin for "trembling madness", commonly nicknamed "the DTs", indicating a violent sickness induced by withdrawal after alcohol abuse. Although it is commonly thought that sufferers hallucinate pink elephants, which may explain its use on the beer's label, the most common animals seen in delirium tremens hallucinations are cats, dogs, and snakes.



Allagash Brewing Company is an American brewery located in Portland, Maine.

Founded in 1994 by Rob Tod, Allagash sold its first batch of beer in the summer of 1995. Tod had been working in breweries around the U.S. and recognized a void in the craft brewing movement. While both German and British styles were available throughout the country, Belgian-style beers were very difficult to find. He established a small 15-barrel brewery and began brewing Allagash White, modeled after Belgian Wit beer. His beer gets its flavor from the use of wheat in place of barley as well as the addition of Curaçao orange peel, coriander and other spices.

All of the beers Allagash produces are bottle conditioned. The technique calls for two fermentations, the first in the fermenting tanks and the second in the bottle itself (a process known as the methode champenoise). A coolship is used to cool the wort for some of the beers.

Before the beer is bottled, a small amount of yeast and sugar is added and a second fermentation occurs. It is this second fermentation which produces a notable increase in carbonation, a softer feel and remarkable complexity. This method of bottle conditioning leaves a small amount of yeast in the bottle, creating what is known as a "living" beer.

Today, Allagash has six-year round beers in its portfolio, seven yearly releases and numerous one-offs and keg only releases.



Samuel Smith's Old Brewery, popularly known as Samuel Smith's or Sam Smith's, is an independent brewery in Tadcaster, North Yorkshire, England. It is Yorkshire's oldest brewery, founded in 1758. Samuel Smith, a successful butcher and cattle dealer from Meanwood, Leeds, funded his son John to buy it from the Hartley family in 1847. John Smith took over the brewery forming John Smith's Brewery, before leaving it to his young nephew Samuel. Samuel Smith inherited the Old Brewery in 1886 and re-opened it under his own name, since the John Smith's business had been moved by his uncle William to a large new premises nextdoor. Samuel Smith's remains independent.

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Ramona #3



Ramona #2



University City / UTC



Ramona (San Vicente)



Tierrasanta

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CRAFT BEER NEWS

Four Peaks Brewing To Introduce New "Single Tank" Beers

Tempe, AZ - With our Four Peaks Wilson location turning itself up to 11 in terms of production, we've found some occasional...The post Four Peaks Brewing To Introduce New "Single Tank" Beers appeared first on thefullpint.com. [...]

SweetWater Brewing Serves Up A Bevy Of Springtime Brews

Atlanta, GA - It's springtime and the livin' is easy as SweetWater Brewing serves up a boatload of fresh brews that pair well...The post SweetWater Brewing Serves Up A Bevy Of Springtime Brews appeared first on thefullpint.com. [...]

Tennessee Community Woos Stone Brewing With Unconventional Approach

Maryville, TN - "There's a Stone in East Tennessee" - or so aspires the Blount Partnership, located immediately...The post Tennessee Community Woos Stone Brewing With Unconventional Approach appeared first on thefullpint.com. [...]

FACEBOOK

- It's St Patricks Day all month at Country Wine & Spirits! - #StPatricksDay #paddy #Ireland #irish #whiskey #sandiego #socal #california #cwsprits - <http://cwsprits.com/deals-coupons/>

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- Happy Valentines Day! -- #valentines #love #craftbeer #beer #sandiego #socal #california #cwsprits

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EXHIBIT R


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Chronicle

Oktoberfest 2013

[New year party 2012/2013](#)
[Oktoberfest 2012](#)
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Oktoberfest 2013

The most popular beer festival Oktoberfest is held in Germany since the year 1810.

The restaurant-brewery Beer House, by supporting the beer culture and traditions, has celebrated Oktoberfest this year already the seventh time in a row. Opening ceremony of the festival was held on October 4th. The celebration began with a welcome speech of master brewer Eve Toomela, brand-chef Dmitri Rooz, Beer king Mait Trink and the guest of honor, Georgi Bogatkin – Estonian famous ceramic and the atelier-cafe "Bogapott" owner. The culmination of the opening was the ribbon cutting ceremony and the beer taps opening after which the first beer mugs with famous Beer House beer were raised. During two-day event all festival attendees, true beer lovers had the chance to taste the special menu of Oktoberfest, freshly brewed [living beer](#), autumn festival traditional cookies Oktoberherzes and salty Bretzels, which added the Munich breath to the atmosphere of the festival. Guests of the event enjoyed the live music, jolly dances and participated in funny contests.

We are grateful to all those, who took part in our Oktoberfest celebrations!

We will be happy to welcome you again!

Beer House – Home of the living beer!



Grand opening of 7th Oktoberfest in Beer House, 2013. On the foto: the master brewer Eve Toomela, brand chef Dmitri Rooz, Beer king Mait Trink and the guest of honour Georgi Bogatkin – famous ceramic artist in Estonia.

Ba 
[our projects in Russia](#)



EXHIBIT S



Ask for Cask: Four "real ale" Cask Engines on draught.



Our four cask engines pump ale from our dedicated cask cellar.

These beers are genuine cask-conditioned ales, stored in their own temperature controlled environment, separate from our normal "brite-beers" and served from our beer engines. These beers will generally rotate, but typically feature English or European style ales.

What is "Cask Ale"?



Cask ale or cask-conditioned

beer is unfiltered and unpasteurised beer which is "conditioned" (undergoes some secondary fermentation) in the cask from which it is served, and dispensed without additional nitrogen or carbon dioxide pressure. Cask ale may also be referred to as "real ale", a term coined by the Campaign for Real Ale (CAMRA), a British Consumer Advocacy group primarily responsible for the re-introduction of cask ales after they nearly became extinct

in the late 20th century.

Caution! This beer may contain flavour: Most modern beer, including most draught craft ale in America, is cleared of its yeast after fermentation, and then is placed in a secondary tank, to be artificially carbonated. It is consequently devoid of the flavours produced by the lees (settled yeast at the bottom of the cask). It is then chilled, often down to nearly freezing, which removes even more flavour. This modern beer is highly carbonated (another flavour restrictor), and pumped out of it's keg under more pressure from carbon-dioxide.

Draught Beer: Cask ale sits on its lees (yeast bed) after finishing its fermentation in the cask. This living beer undergoes a secondary fermentation which naturally carbonates the beer in its cask. This natural carbonation, much smoother than artificial carbonation, has insufficient pressure to force the beer out of the cask. It has to be pulled, or "drawn" out by a draught engine (*Draught = "to pull", like a "draught-horse"*. Modern US English spelling = draft).

Ironically, modern "tap" beer is still called draught (or draft) beer, even though it is no longer drawn out of a cask by an engine (except of course, at Santiam Brewing).

Double Top Bitter;

English Pale Ale/Ordinary Bitter - 4.7% 35IBU
An English standard bitter, made with English Pearl Malt, English Fuggles hops and English yeast.

A caramel malty drink with assertive spicy hop bitterness and a mild spicy hop aroma. Dark, clear copper colored beer, lower carbonation and some fruity esters from the English yeast. A great session bitter you can play darts to, and still hit the board after a couple.

This beer is usually on tap all the time and is our standard cask session beer.

Spitfire ESB;

Extra Special Premium English Pale Ale 6.2% abv 40 IBU

This is a smooth English Extra Special pale ale with malty, caramel and toffee notes. This ESB (the strongest of the English Pale Ale classes) is made with Northwest malts but English hops and yeast. East Kent Goldings, First Gold and English Fuggles contribute the moderate hop bitterness and finish, which finishes dry and light bodied making this a great session bitter.



Burton Strong;

English Premium (or Best) Bitter 5.2% ABV, 30 IBU
A Premium English Pale Ale that originates from Burton on Trent in England. The hard waters (hard water means high dissolved mineral salts) of Burton lend a unique flavor and mouth feel to the beers made there. This style is impossible to re-create with the soft water from the Santiam watershed, which has almost no dissolved minerals. To each batch we add correct portions of Gypsum, Epsom Salts, Calcium Chloride, Sodium Bicarbonate (baking soda) and Calcium Carbonate (chalk) to recreate the mineral salts in Burton Water. This leads to a unique flavored English bitter that zings and allows the hop flavors to pop out onto the tongue. Why "Strong"? In England since the start of the 20th century, many session beers were 3.5% to 4.8%, a beer in the 5% plus range, was indeed, a Strong Ale.

Sgt. Cutter's English IPA;

English IPA 6.7 ABV, 65 IBU
Cutter's is a "back to roots" original Victorian version of an English style India Pale Ale brewed up to imperial strength. Don't expect an in-your-face hop assault from this IPA. This is not a West Coast IPA, but brewed to the original style with a strong English malt character and a moderate earthy hop aroma from English Fuggles and First Gold hops imported from England. English Maris Otter barley is malted in West Yorkshire since the 1780's and lends an authentic bready character and the Thomas Fawcett caramalts add an amber hue to this dry English IPA. Cutter's is made with all English malts, hops and yeast.

EXHIBIT T

HOME	TRADE ENQUIRIES	FOR HOME DELIVERIES	THE BREWERIES WHOSE BEER WE SELL	OUR BEER RANGE	INTRODUCTION TO BELGIAN BEER	NEWS	FAQs
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THE BELGIAN BEER SHOP

on the island of Malta



14 January 2010

And then there were two Dixies

[Dixies Kiosk](#) - set inside Sliema's Independance Gardens and has been offering 4 Van Steenberge beers since the summer of 2007

And now theres a second Dixies. Its a cellar bar created underneath the Kiosk. The entance is from the sea side of the kiosk. Look out for special blackboard listing the Belgian beers by the door.



The Cellar Bar is a cosy little bar that is currently open on Tuesday and Wednesday evenings when there is football to show on the plasma screen and at Weekends (daytime and possibly evenings). The walls are decorated with rock paintings/drawings and framed posters describe the Belgian beers.



They have a 5.2% Amber Ale called Bruegel, a 7%% "abbey blond beer" called Augustijn Blond and 2 10.5% ales - Piraat and Gulden Draak.

In the second half of the 16th century, Bruegel was the best painter of his time. Today Bruegel is arguably the best of Belgium's amber ales. Unlike some, Bruegel is a living beer with secondary fermentation in the bottle. Its full bodied flavour, refreshing after taste and aromatic head make the second bottle all the more inviting. Van Steenberge's Bruegel is also a great-tasting refreshing alternative to lager. The ideal drink to have with lunch. This beer combines well with all spices, from a hearty warm meat dish to a spicy salad. Amber beer used to be the daily beer of Northern Europe, drunk both with meals and to quench thirst. It would easily pass as an excellent English bitter

Van Steenberge's Augustijn Blond is a 'living' abbey beer that had been brewed by the Augustinian fathers of Gent since 1295. In 1982, the recipe for the beer was taken over and improved by Van Steenberge, who also took over the marketing and distribution. In return they pay a royalty on each bottle to the Augustinian Abbey in Gent. Augustijn Blond has a hoppy flavour with a malty background. You may also detect a light fruity vanilla flavour. Augustijn has an alcohol content of 7%.

Van Steenberge's Piraat is a 'living' beer - it continues to evolve during its secondary fermentation in the bottle. The flavour is so complex and so rich that every swallow conjures up new associations - the spicy light sweetness is richly balanced with the robust bitterness of the hops. Piraat is excellent with both meat and fish dishes, or can simply be enjoyed as a relaxing drink. It is an adventure of a beer, a treat.

Gulden Draak is a beer in a class of its own. It is a beer that is rich and glowing, so full of its very own characteristic flavour, that it reminds some who try it of chocolate and others of coffee. In 1998 Gulden Draak was crowned ♦best beer in the world♦ by the American Tasting Institute! This beer has won many other awards too. Gulden Draak is named for the golden statue at the top of the clock tower of the Belgian city of Gent. The statue was originally given to the city of Constantinople by the Norse King Sigrid Magnusson in 1111, during the crusades; hence the form of a Viking ship that the beast was given. During a later crusade, Boudewijn IX (Count of Flanders and Emperor of Constantinople) took it back to Flanders with him because it was so beautiful. In 1382, the cities of Brugge and Gent did battle for the statue. Gent won.

EXHIBIT U



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This **bartending** page has been nominated for **cleanup** for the following reason: "cleanup".

Please [help](#) this module to improve it. See this [module's talk page](#) for discussion.

Ale [edit]

Ale is a top-fermented beer that originated in England, as early as the 7th century. The top fermenting yeast, *Saccharomyces cerevisiae*, performs fermentation at a higher temperature of between 55 °F and 70 °F (13-21 °C) than the yeast used to produce lager, and their byproducts are more evident in the final taste and aroma of the ale.

Ale is properly supplied to the point of sale as a "living" beer in which the yeast fermentation continues to occur. Managing the final stages of this process in the cellar or special cool-room is a skilled task, but this is the role of the *cellarman* rather than the barman or barnaid and is not considered further here.

Ale can be served in two ways - from a **beer engine** or **by gravity**. The latter is the simpler technique, in which the glass is filled directly from the cask which is usually placed on a counter behind the bar. The tap in the end of the cask may be an ordinary threaded beer-line tap with a twisting action, or it may be a pouring tap with a lever-style handle. The glass is simply placed close under the tap and filled. Gravity service is usually found in ale-centric establishments with many beers on at once, and at beer festivals.

In most British pubs, the beer engine is used instead. This is the proper name for the tall, manually operated hand pump on the top of the bar, which is connected via the beer-line to the cask in the cellar. Most pumps dispense around a half-pint per pull, although they are frequently worn and require several pulls to obtain a complete pint. Quarter-pint engines also exist. The handle should be operated in a smooth manner across the whole of its arc, rather than jerked rapidly to and fro which tends to agitate the beer, creating a large head into which much of the bitterness migrates.

Head size is also regulated by the **sparkler** which may be fitted to the outlet of the pump. This forces the beer through small holes, deliberately agitating it and producing a large head. Some beers are brewed with this in mind, and others are not - a good barman will use a sparkler only on those beers meant to be served through one. In the UK, CAMRA's Good Beer Guide indicates whether this is the case; most brewers will also tell their customers, and may even affix labels with these kind of instructions to the casks.

Many pumps are fitted with a "swan neck" designed to reach to the bottom of the glass. If a sparkler is fitted it is important to use this in order not to create an excessive head which must either be allowed to drop in its own time or spilled out of the glass and wasted. The glass should be raised around the swan-neck so that the outlet is at the bottom. It should be left there until the glass is almost full.

Stout [edit]

Stout is an ale and a dark, sometimes black beer made with roasted grain. Like other beers, Stout is usually served cool, but some drinkers prefer having Stout at room temperature. Traditionally, the matching food for Stout is the oyster.

Stout was originally known as "Stout Porter" to emphasize its fuller body. Stouts are typically distinguished by use of roasted barley, which gives the drink its characteristic sharp roasty flavor. Porters typically achieve their color with chocolate malt, so named for its color and slight chocolate taste .

The most famous variety of stout is Guinness, originally from Ireland but now brewed around the world. Guinness has a light body with a distinct astringency, and is known for its creamy head of Nitrogen foam. Scottish stout is less bitter than Guinness and more fruity. Oat is sometimes added during the brewing process to make an oatmeal variety.

Lager [edit]

A lager is a type of beer made with specific strains of yeast which ferment at a significantly lower temperature than ale yeast, resulting in a usually crisper taste. A popular type of lager is a pilsner which is widely consumed in North America, Budweiser and Miller both being of this general style. Like Ales, Lagers also have a number of different styles of brewing.

Categories: Bartending pages needing work | Bartending

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EXHIBIT V

Beer Menu



Cask Beer

Our cask beer selection is brewed just a few blocks away at Thirsty Bear Brewing Co. The Organic Grizzly Bear Red Ale is dry-hopped with Organic Simcoe hops.

Cask Ale is a living beer and is made completely naturally, as the secondary fermentation takes place inside of the cask from which it is to be served. This is beer as it has been brewed for centuries.

6.5% ABV

3 oz. \$2

16 oz. \$8

FEATURED BEERS

MENDOCINO BREWING CO.

'30th Anniversary Single Hop Pale Ale

7% ABVhopland, california

6ozglass \$6

22ozbottle \$20

Using only Cascade hops, this pale is crisp and bright with strong grapefruit citrus supported by grassy and piney notes, and subtle floral aromas. Hops are added at at four points throughout the boil to achieve the maximum complexity of bittering and aroma available with just the single hop variety. Slightly chewy toasty malts underscore the generous hop character lending a rounded and creamy mouthfeel. The malty backbone leads to a dry, clean finish with orange spice and a lingering hop bitterness.

DRAFT

linden street brewery

'Old Brick' Bitter 6.

oakland, california 4.5% ABV

SUDWERK Hefeweizen 7.

davis, california 4.7% ABV

calicraft 'Cali Cölsch' 6.

walnut creek, california 5.2% ABV

RODENBACH 'Classic'Sour Red Ale (6oz) 7.

roeselare, belgium 5.2% ABV

NORTH COAST 'Old 38' Dublin Dry Stout 8.

fort bragg, california5.4% ABV

DESCHUTES 'Chainbreaker' White IPA 8.

bend, oregon 5.6% ABV

calicraft 'Oaktown Brown' 8.

walnut creek, california 6.7% ABV

HEADLANDS BREWING CO. (6oz)6.

'Light Ship' Sour Lager

san francisco, california 7% ABV

BALLAST POINT 'Sculpin' IPA 9.

san diego, california 7% ABV

HEADLANDS BREWING CO. Saison 9.

san francisco, california 9.8% ABV

RUSSIAN RIVER 'Consecration'

American Wild Ale (6oz) 7.

santa rosa, california 10% ABV

DOGFISH HEAD 'Palo Santo Marron'

Brown Ale aged in Palo Santo Wood (6oz) 6.

milton, delaware 12% ABV

BY THE GLASS

BROUWERIJ BOON 'Frambois'Raspberry Lambic,lembeek, belgium 5%ABV.....\$8 (6oz)...\$30 (750ml).

This Framboise has a huge bouquet and makes a delicate aperitif. Though obviously full of raspberries, the nose isn't sweet. The raspberries almost taste fresh with the faintest impression of wheat character also evident. Clean in the finish, it leaves little but the merest impression of sweetness round the edges.

BREW DOG 'Dogma' Scotch Ale, fraserburgh, scotland

7.8%ABV.....\$6 (6oz)....\$20 (22oz).

A complex beer brewed with guarana, poppy seeds, kola nut and heather honey. Rich dark caramel scents accented by grassy hops and smoky honey notes draw up to the nose. On the palate, caramel and chocolate combines with poppy sweetness and light heather floats above on the long dry finish.

THE BRUERY 'Mischief' Belgian Strong Ale, placentia, california

8.5%ABV.....\$7 (6oz)....\$28 (750ml).

Mischief is a hoppy Belgian-style golden strong ale. Dry-hopping with American hops adds a layer of complexity to its fruity, dry Belgian-style character. Citrus and resin combine with ripe melon, pear and earthy marmalade notes leading to a dry peppery finish rounded out with boozy warmth.

STONE BREWING CO. 'Classic Release' Imperial Russian Stout, escondido, california

10.5%ABV.....\$6 (6oz)....\$22 (22oz).

This massive and intensely aromatic beer abounds with anise, black currants, coffee, and subtle savory notes. An additional 10 months of bottle aging has developed further complexity with cinnamon spice and dark walnut flavors expressing themselves after a long bittering finish.

BOTTLES

Bright, Crisp, and Slightly Dry with Low Bitterness

HEINRICH REISSDORFKolsch, cologne, germany 500ml 4.8% ABV 12.

ANCHOR BREWING 'California'Lager, san francisco, california 11.2oz 4.9% 5.

PINKUS Mueller 'Pinkus' Pils, munster, germany 500ml 5% 10.

Light Bodied, Slight Malt Notes, Spice, Possible Citrus and Low Bitterness

Lefebvre 'Blanche de Bruxelles' Witbier, lefebvre, belgium 11.2oz 4.5%ABV 8.

HITACHINO NESTWhite Ale, ibaraki-ken naka-gun, japan 11.2oz 5% 15.

WEIHENSTEPHANERHefeweissbier, freising, germany12oz 5.4% 6.

AFFLIGEM 'Blond' Belgian Strong Pale Ale, opwijk, belgium 11.2oz 6.7% 7

HITACHINO NEST 'Red Rice' Ale, ibaraki-ken naka-gun, japan 11.2oz 7% 14.

HET ANKER 'Lucifer' Belgian Strong Pale Ale, mechelen, belgium 11.2oz 8% 13.

UNIBROUE 'La Fin Du Monde' Belgian Style Triple, chambly, quebec 12oz 9% 11.

LOST ABBEY 'Inferno' Ale, san marcos, california 12.7oz 9% 13.

Medium Bodied, Floral, Moderate to High Bitterness, Malty Undertones

WIDMER 'Omission' Pale Ale, portland, oregon 12oz 5.8% ABV 8.

A gluten free beer

ALMANAC Extra Pale Ale, san jose, california 12 oz 6% 8.

GRAND TETON 'Sweetgrass', American Pale Ale, victor, idaho 12 oz 6% 6.

ABITA 'Jockamo' IPA, abita springs, louisiana 12oz 6.5% 6.

MATEVEZAYerba Mate IPA, san francisco, california 12oz 7% 8.

russian river BREWING 'Pliny The Elder' Double IPA,santa rosa, california 500ml. 8% 13.

Malty Richness, Medium Body, Low to Medium Bitterness

GOOSE ISLAND 'Honkers' English Style Bitter, chicago, illinois 12oz 4.3% ABV 6.

Schmaltz 'Messiah' American Nut Brown Ale, new york, new york 12oz 5.5% 6.

anderson valley 'Boont' Amber Ale, boonville, california 11.2oz 5.8% 6.

OMMEGANG 'Abbey Ale', Belgian Style Dubbel, cooperstown, new york 12oz 8.2% 11.

TRAQUAIR 'House' Scotch Ale, peeblesshire, scotland 500ml 7.2% 17.

G. SCHNEIDER & SOHN 'Aventinus' Wheat Doppelbock, kelheim, germany 16.9oz. 8.2% 12.

unibroue 'Trois Pistoles' Belgian Strong Dark, chambly, quebec 12oz 9% 10.

ST. BERNADUS 'Abt 12' Belgian Quadrupel, watou, belgium 11.2oz 10% 14.

Dark, Rich and Malty with Roasted and Toasty Flavors

FLYING DOG 'Pearl Necklace' Oyster Stout, frederick, maryland 12oz 5.5% ABV 6.

Brewed with Rappahannock River oysters

ALMANAC 'Bier de Chocolat' Porter, san jose, california 12oz 5.5% 8.

AYINGER 'Celebrator' Doppelbock, aying, germany 11.2oz 6.7% 8.

HARVIESTOUN 'Ola Dubh' Barrel Aged Porter, alva, scotland 11.2oz 8% 22.

Brisk, Bright, Sour Beers with a Funky Wild Character

Professor Fritz Briem '1809' Berliner Weisse,freising, germany 500ml 5% ABV 15.

LINDEMANS 'Cuvée Rene' Gueze, vlezenbeek, belgium 12oz 5% 16.

LA BRASSERIE DES OrvalBelgian Strong Pale Ale,villers-devant-orval, belgium 11.2oz 6.9% 13.

Ciders, Fruit Beers

ACE 'Perry' Hard Cider,sebastopol, california 12oz 5.5%ABV 6.

B. NEKTAR 'Necromangocon',Mead,ferndale, michigan 500ml 6% 18.

WANDERING AENGUS 'Wanderlust',Hard Cider,salem, oregon 16.9oz 6.9% 14.

.Sample Menu

EXHIBIT W

Home / Dogfish Head "Living Beer" Series / 750 ml bottle



Double click on above image to view full picture



MORE VIEWS



Dogfish Head "Living Beer" Series / 750 ml bottle

Availability: In stock

Our Price: \$9.99

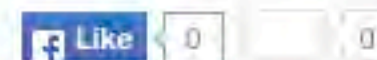
We are sorry, but beer can only be purchased in-store.

Quick Overview

750ml

Additional Information

Package Size	750ml (25.4oz) btl
Style Categories	Variety Pack
ABV	varies
Country of Manufacture	United States



Email to a Friend

Details

Includes Namaste, My Antonia, and 75 Minute IPA. Namaste - A Belgian-style White made with dried organic orange slices, fresh cut lemongrass and a bit of coriander. This beer will be a great summer quencher. Namaste was brewed with Leo from Birra del Borgo in Italy as a tribute to our friends at 3 Fonteinen brewery in Belgium, who recently had devastating production loss (1/3 of their annual production!) at their brewery. My Antonia - This here beer is a lagerific departure for our ale-centric brewery. A marriage of old world tradition and new world innovation, My Antonia is brewed with pilsner malt and continually-hopped with a blend of Noble and West Coast hops. 75 Minute IPA - Johnny Cask has entered the building! We've retrofitted a 15 barrel tank to perfectly produce a very special cask conditioned ale (so, we have a little time to play around during winters at the Delaware coast). This beer, known as Dogfish Head 75 Minute IPA is a blend of 60 and 90 Minute IPAs with a special whole leaf cascade dry-hopping session. Post-hopping the beer gest transferred into firkins and dosed with fresh yeast and maple syrup from the ole family homestead.

EXHIBIT X



BeerFest

• Brewery • Restaurant •

[Main](#)[Beer](#)[Menu](#)[Reservation](#)[Interesting](#)[Gallery](#)[Reviews](#)[Contact](#)

— *Living beer has anti-inflammatory action!*



Living Beer, like red wine and green tea has anti-inflammatory effect, experts say Medical Center, University of Innsbruck.

"Based on our research, we can say that living beer drinks relates to having anti-inflammatory action," - said one of the research participants Dietmar Fyuchs.

Laboratory experiments are conducted Biocenter Innsbruck team showed that exposure of a living beer blocked negative chemical processes and contribute to a protein that acts as one of the main incentives for the immune system. Excerpts of live beer reduce damage amino acid tryptophan, which is considered an effective natural tranquilizer, it activates the brain and contributes to the formation of serotonin - the hormone of happiness. Austrian researchers in these properties see the basis of the soothing live beer.



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EXHIBIT Y

[← A day at the dairy](#)[Thrills on wheels →](#)

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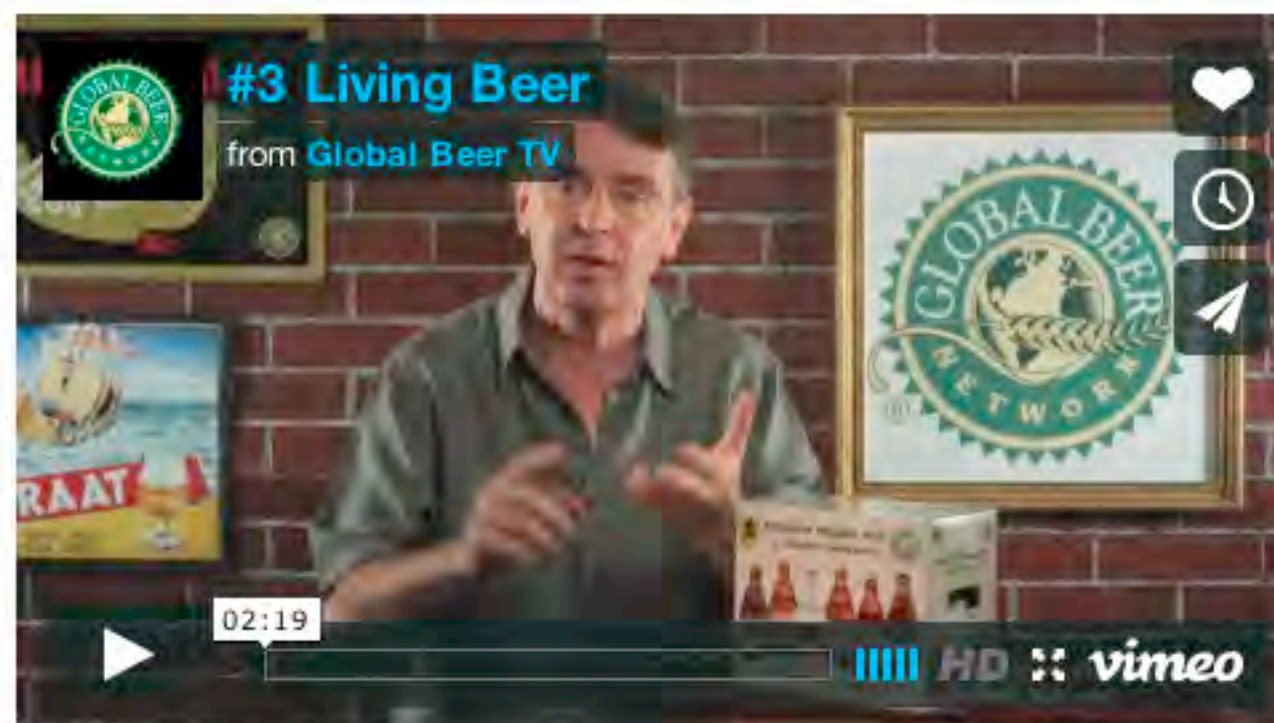
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Living beer

May 28th, 2010 · 2 Comments · beer, how-to, video

The man brings up some interesting points about live vs. "dead" beers. What he is referring to is bottle conditioning. For the homebrewer, bottling and conditioning beer is a pain. That's why this video may bring up a point of conjecture for those homebrewers who keg their beer.



Tags:

2 COMMENTS SO FAR ↓

Howie13 // [May 29, 2010 at 8:46 pm](#)

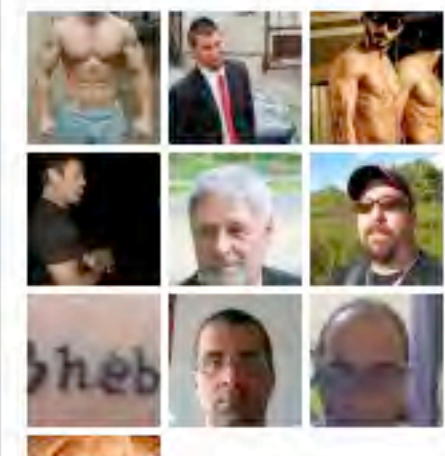
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EXHIBIT Z

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RICE LAGER

Similar to American lagers, this specialty from Asia uses heavy amounts of rice instead of barley to create a rounded flavor experience with moderate bitterness. Rice lagers are also notorious for their dry finish. (Brands: Sapporo, Kirin)

DISTANT COUSINS

BARLEY WINE

It is called a barley *wine* because it can be as strong as wine; but since it is made from grain rather than fruit, it is, in fact, a beer. A barley wine typically reaches an alcohol strength of 8 to 12 percent by volume. This isn't a sip-with-your-pinkie-out type of hooch.

NIGHT OF THE LIVING BEER

"Live" beer is a term commonly used among brewers. Contrary to what the name implies, it is not beer that is gaining sentience in order to attack its thirsty overlords (i.e. you). It's actually unpasteurized, unfiltered beer that has been bottled with live yeast.

This gives the brew a chance to age and develop differently than it might during the conventional process. Sealing in the live yeast prevents oxidation and allows the yeast to break down slowly in the bottle. This second fermentation process gives the brew a more complex flavor and profile.

A BEER A DAY KEEPS THE DOCTOR AWAY: THE HEALTH BENEFITS OF BEER

Aside from being one of the best activities one can do with a bent elbow, drinking beer can also lead to a healthier lifestyle.

Research has shown that daily alcohol consumption can prevent heart failure. A study from Emory University tested 2,200 elderly men and women to discover that the ones who consumed 1.5 alcoholic beverages a day reduced their chances of heart failure by 50 percent. Furthermore,

another study conducted by Germany, France, and the United Kingdom showed that moderate consumption of beer can have an anti-inflammatory effect on the drinker, thus lowering the risk of coronary heart disease.

Beer is good for the brain, too. Recently, scientists in Boston discovered that light (one to six drinks a week) to moderate drinkers (seven to fourteen drinks a week) have fewer strokes than non-drinkers, thanks to the way alcohol thins the blood, which can prevent the formation of clots in the brain.

EXHIBIT AA

What is the “Cask” and why is it so great?

Cask-conditioned Ale, or **Real Ale** as it is sometimes called, is a traditional English presentation of beer. Casks come in many different sizes and much like wine bottles each size has its own name. Three of the more popular sizes are the **Pin** (5.4 US gallons), the **Firkin** (10.8 US gallons), and the **Kilderkin** (21.6 US gallons). At Surf Brewery we generally use Firkins as this size allows us to pour through the beer in a rather short amount of time therefore preserving freshness. Cask-conditioned beers are true living beer and will change over time so we strive to not let the beer sit for too long in our cellar.

To make the beer cask-conditioned, beer is racked by hand into the cask, straight from the fermentor while yeast is still suspended in the beer. A little **priming sugar** is added to the cask to give the yeast something to convert to carbon dioxide during the secondary fermentation that will take place over the next few days. Since the carbon dioxide cannot escape the sealed cask the beer is gently carbonated but to a much lower level than standard draught or bottled beer. The lower level of carbonation gives the beer a softer mouth-feel and helps to tone down more astringent flavors while still providing a good frothy head.

When the beer is ready to be served the cask is vented to release the excess pressure from the secondary fermentation. Once the beer is finished off-gassing to match the atmospheric pressure, the cask is then tapped by hammering the tap directly into the **Keystone** of the cask. Here’s where the real magic of cask-conditioned ale comes into play. When a cask is at ambient atmospheric pressure and at cellar temperature (55F) the perfect amount of carbon dioxide stays dissolved in the beer; too warm, the beer tastes “flat”, too cold and the beer pours with too much head.

We serve our cask-conditioned ale through what is called a **Beer Engine**. A beer engine differs from a traditional draught line in that the beer engine gently pulls the beer out of the cask as opposed to having the head pressure in a keg push the beer out. Sometimes, depending on the style of beer being served, a sparkler tip is used on the beer engine that forces the beer through a bunch of small holes that cause the dissolved CO₂ to be released giving the beautiful cascading head. Cask-conditioned ales also allow the brewer to play around and experiment with adding other flavorings (more hops, spices, fruit, ect.) to what would be a normal house beer. It’s always interesting to compare a cask-conditioned ale and draught version of the same beer side by side. The cask conditioned ale should be easier drinking due to the lower level of carbonation as well as more flavorful since the warmer serving temperature will allow more of the true flavors of the beer show through. Aroma is not lost as enough carbonation is present to carry the aroma compounds out of the beer to your nose. So the next time you’re at a brewery or pub that has a cask-conditioned option give it a try and enjoy the true flavors of beer.

